



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

January 3, 2022

Shawn Ray
Health Commissioner
Noble County Health Department
44069 Marietta Road
Caldwell, Ohio 43724

Re: Noble County Health Department
Director's Authorization
Approval
Health District Partners
Noble County
HD6100

**Subject: Placement on the director's approved lists
Solid & Infectious Waste Programs
C&DD Program**

Dear Mr. Ray:

On October 20, 2021, the Ohio Environmental Protection Agency (Ohio EPA) completed its annual survey of your health district regarding your Solid and Infectious Waste Programs and Construction and Demolition Debris Program in accordance with Ohio Administrative Code (OAC) Rule 3745-37-08. The annual survey included the time period between November 14, 2020 and October 20, 2021.

Upon review of the survey findings, I have determined that the Noble County Health Department is in substantial compliance and I hereby place the Noble County Health Department on my approved lists of health districts authorized to administer and enforce the solid and infectious waste and construction and demolition debris laws and rules in accordance with Sections 3734.08 and 3714.09 of the Ohio Revised Code.

Additionally, you are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th floor
Columbus, Ohio 43215

I consider our agencies regulatory partners and appreciate the efforts of your dedicated staff. I recognize the extraordinary role your agency has played in addressing the COVID-19 pandemic, and the challenge this incredible response may have had on health district staffing and implementation of your Solid and Infectious Waste and Construction and Demolition Debris programs. If at any time Ohio EPA can provide assistance to support these programs, please encourage your staff to contact Ohio EPA's Southeast District Office.

Enclosed please find a copy of the annual survey evaluation report for your health district, which includes an assessment of field and administrative activities. If you have questions or comments regarding the manner in which our agencies administer these programs, please contact me or Vlad Cica, Chief of the Division of Materials and Waste Management.

If you have any questions concerning this letter, please contact Erika Jackson of Ohio EPA's Southeast District Office by telephone at (740) 380-5228.

Sincerely,



Laurie A. Stevenson
Director

Enclosure: 2021 Annual Survey Evaluation Report

cc: Brian Dearth, DMWM-CO
Ralph McGinnis, DMWM-CO

Annual Survey Evaluation Report

Ohio EPA's Delegation of the Solid & Infectious Waste and Construction & Demolition Debris
Programs to Local Health Districts

Health District: Noble County Health Department Core ID: 437265 Secondary ID: HD6100 HC Email: shawn.ray@noblecohd.org	Survey Period: Start Date: 11/14/2020 End Date: 10/20/2021 Ohio EPA Inspector: Erika Jackson
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Administrative Review

A health district either meets program requirements (Y), does not meet program requirements (N), or requirements are not applicable (N/A). Upon review of health district records and other documentation, Ohio EPA made the following conclusions:

	Solid & Infectious Waste (ORC 3734)			Construction & Demolition Debris (ORC 3714)		
	Y	N	N/A	Y	N	N/A
OAC Rule 3745-37-08(C)(1) and (D)(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Applications for licenses are on file for each licensed solid waste, infectious waste treatment, or C&DD facility in the health district.						
OAC Rule 3745-37-08(C)(2) and (D)(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Applications are properly completed with all required information.						
OAC Rule 3745-37-08(C)(3) and (D)(3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
All known solid waste, infectious waste treatment, and C&DD facilities operating in the health district do hold valid and unexpired licenses.						
OAC Rule 3745-37-08(C)(4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
No license has been issued for any new solid waste or new infectious waste treatment facility prior to the director's issuance of required permits and approval of required detail plans.						
OAC Rule 3745-37-08(C)(5) and (D)(4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Certification of inspection and compliance has been made to the director within thirty days after issuance of any license.						
OAC Rule 3745-37-08(C)(6) and (D)(5)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district inspects solid waste, infectious waste treatment, and C&DD facilities with sufficient frequency to ensure substantial compliance.						

	Solid & Infectious Waste (ORC 3734)			Construction & Demolition Debris (ORC 3714)		
	Y	N	N/A	Y	N	N/A
OAC Rule 3745-37-08(C)(7) and (D)(6)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district maintains a file of information relating to each licensed solid waste, infectious waste treatment, and C&DD facility throughout each facility's operation and applicable closure periods. Each file includes applications for licenses, certification records, inspection records, approved plans, litigation information (except that privileged by the attorney-client relationship), and other pertinent information.						
OAC Rule 3745-37-08(C)(8) and (D)(7)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district undertakes appropriate actions against persons whenever necessary to bring about substantial compliance with Chapters 3734. and 3714. of the Revised Code and rules adopted thereunder.						
OAC Rule 3745-37-08(C)(9) and (D)(8)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district takes immediate action to abate serious hazards to the public health resulting from violations of Chapters 3734. and 3714. of the Revised Code and rules adopted thereunder.						
OAC Rule 3745-37-08(C)(10) and (D)(9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The health district complies with applicable facility license transfer procedures.						
OAC Rule 3745-37-08(C)(11) and (D)(10)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district seeks legal assistance from appropriate state and local agencies as necessary to carry out its assigned responsibilities.						
OAC Rule 3745-37-08(D)(11)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Each health district staff person possesses either a registered sanitarian/sanitarian-in-training certificate, the equivalent educational background required, or two years adequate work experience inspecting waste facilities.						
OAC Rule 3745-37-08(D)(12)				<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The health district maintains a file of information relating to each exemption and license special term/condition. The file includes a copy of each exemption order issued and each license issued that contains special terms and/or conditions, as well as the health district's written justification for each action.						

Comments:

OAC Rule 3745-37-08(C)(8) and (D)(7):

Ohio EPA determined that the health district undertook appropriate actions against noncompliant persons whenever necessary to bring about compliance. The administrative review of health district files found that the health district received three open dumping complaints during the survey period. The health district responded to all complaints in a timely manner. The two open dumping complaints have been resolved, and there was one open complaint at the time of the file review. Noble County Health Department (NCHD) refers unresolved cases to the Noble County Prosecutor's office.

OAC Rule 3745-37-08(C)(9) and (D)(8):

No serious public health hazards resulting from violations of the solid and infectious waste or construction & demolition debris rules were on record for this survey year.

Additional Comments:

The health district assists the Noble County Engineering Department with its semiannual gas monitoring sampling event at the closed Noble Sanitary Landfill. To date, there have been three gas sampling events this year at the Noble Sanitary Landfill.

Field Survey

Ohio EPA's field survey evaluation is focused on the health district inspector's familiarity with program rules and policies, the ability to recognize and document violations, and thoroughness of communication with an owner/operator.

Facility Type: Open Dump

Facility Name: Ada Street Complaint

Location: 45736 Ada Street, Caldwell

Inspection Type: Comprehensive

Facility Representative(s): Not Present

Health District Sanitarian(s): Kirby Moore

Ohio EPA Inspector(s): Erika Jackson

Date: 10/20/2021

Findings/Recommendations:

Mr. Moore made the following observation during the inspection: residential trash from the property was improperly stored at the home. This complaint was handled pursuant to Noble County's local nuisance code. The waste came from the residents living at the property and did not constitute open dumping per Ohio Revised Code Section 3734.03 or Ohio Administrative Code Rule 3745-27-05(C).

No violations were observed.

Mr. Moore was asked to summarize his findings to Ohio EPA. At the time of the inspection, Ohio EPA acknowledged the inspector's findings and made no additional recommendations. After receiving and reviewing a copy of the inspection letter dated October 20, 2021, Ohio EPA determined that the inspector adequately documented the inspection of October 20, 2021.

Facility Type: Scrap Tire Sites/Facilities

Facility Name: Mike's Tire Shop

Location: 428 Cumberland Street, Caldwell

Inspection Type: Comprehensive

Facility Representative(s): Sam Ramage

Health District Sanitarian(s): Kirby Moore

Ohio EPA Inspector(s): Erika Jackson

Date: 10/20/2021

Findings/Recommendations:

The facility is a small business dealing primarily with auto repair and tires. Mr. Moore made the following observations during the inspection: scrap tires are stored in a locked storage building; shipping papers were completed; and, the facility uses Tyrex Resources, LLC, a registered scrap tire hauler located in Muskingum County, to remove scrap tires.

No violations were observed.

Mr. Moore was asked to summarize his findings to Ohio EPA. At the time of the inspection, Ohio EPA acknowledged the inspector's findings and made no additional recommendations. After receiving and reviewing a copy of the inspection letter dated October 20, 2021, Ohio EPA determined that the inspector adequately documented the inspection of October 20, 2021.

Solid and Infectious Waste Programs Summary

Noble County Health Department does not have any licensed or registered solid waste facilities within its jurisdiction. Additionally, I observed no deficiencies during the administrative review of the annual survey. The health district appropriately documents violations of complaints with a notice of violation letter to the property owner or facility operator detailing any violations, including rule citations and any additional information from the inspection. The health district requests a response on actions taken to remedy or prevent the violation from recurring and conducts re-inspections of complaints to ensure that compliance is achieved. The health district effectively manages solid waste complaints and has procedures in place to escalate enforcement if necessary

Construction and Demolition Debris Program Summary

On October 13, 2020, the Crock C&DD facility located within Noble County submitted a post-closure care report and requested to end post-closure care. Crock C&DD Landfill reached the end of the five-year post-closure care period on October 28, 2020. On February 3, 2021, the Noble County Health Department notified the owner, Crock Construction Company, that Crock C&DD Landfill satisfied its post-closure care obligations pursuant to OAC Rule 3745-400-16. Mr. Moore, Environmental Health Director, was instrumental in providing assistance to both Crock C&DD and Ohio EPA when requested and making sure all documents were submitted on time.

Post-Survey Conference

On October 20, 2021, I held an exit conference with Kirby Moore, environmental health director, to summarize the annual survey findings. During the exit conference, we discussed the health district's compliance with ORC Section 3734.08 and 3734.09. I informed Mr. Moore that, based on my observations during the survey, I would be recommending the health district remain on the director's approved lists.

This Annual Survey Evaluation Report (Report) is for internal use to perform a preliminary assessment of approved health districts. It is not to be used as an indication of a health district's overall compliance with OAC Rule 3745-37-08, which is a determination of the director of Ohio EPA. This Report and any accompanying information will be forwarded to the director for consideration and to determine substantial compliance with Rule 3745-37-08 of the Administrative Code.



JAG

12/10/2021

Signature

Date

Erika Jackson
Environmental Specialist
Division of Materials and Waste Management
Ohio Environmental Protection Agency
Southeast District Office