

**SITE VISIT REPORT
NORTHWEST INDIANA INITIATIVE AREA
ILLEGAL DUMPING ASSESSMENT PROJECT**

INTRODUCTION

A site visit was conducted in the Northwest Indiana geographic initiative area (GIA) in May 1997 as part of the U.S. Environmental Protection Agency's (EPA) illegal dumping assessment project. The Northwest Indiana GIA consists of portions of Porter, LaPorte, and Lake Counties. EPA met with involved parties to discuss illegal dumping issues and programs and visited representative illegal dumping sites. This report identifies key contacts involved with illegal dumping in northwest Indiana. It also discusses the nature of the problem; county, local municipal government, and community group efforts to address the problem and additional resources needed.

KEY CONTACTS

Key Contact, Title, and Organization	Address and Telephone No.	Jurisdiction	Illegal Dumping Program Summary
Bob Lamprecht , Inspector Kay Nelson, Director Tom Sole, Criminal Investigator Indiana Department of Environmental Management, Northwest Regional Office	504 North Broadway Suite 418 Gary, IN 46402 (219) 881-6712	NW Indiana, including Lake, Porter, and LaPorte Counties	Enforce state environmental laws; participate in community education and outreach
Jeff Langbehn, Executive Director Jeanette Romano, Assistant Lake County Solid Waste District	1473 East 84 th Place Merrillville, IN 46410 (219) 769-3820	Lake County	Address solid waste issues, including dumping
Joseph Trgovich, Sanitarian Lake County Health Department	Government Center 2293 North Main St. Crown Point, IN 46307 (219) 755-3655	Lake County, excluding Gary, Hammond, E. Chicago	Responds to complaints; address sites presenting health hazards
Wally Brezick, Zoning Administrator Lake County Planning Commission	Government Center 2293 North Main St. Crown Point, IN 46307 (219) 755-3700	Lake County	Address dumping on private property; enforce zoning ordinances in unincorporated areas
William Henderson, Director Department of Public Works	Government Center 2293 North Main St. Crown Point, IN 46307 (219) 755-3185	Lake County	Address sites on county property
George Kolettis, Administrator Rodney Sommerville, Assistant Gary Air and Land Pollution Control	504 Broadway Gary, IN 46402 (219) 882-3000	City of Gary	Address sites; refer violations to Code Enforcement; respond to complaints
Stephen McMath, Director Gary General Services Division	900 Madison St. Gary, IN 46402 (219) 882-8445	City of Gary	Oversees A& LPC Dept; cleanup city-owned sites
Ronald Novak Dept. of Environmental Management	5925 Calumet Ave. Hammond, IN 46320 (219) 853-6306	City of Hammond	Address sites and enforce ordinances
Kevin Sprague, Team Leader Amoco Oil Company Whiting Refinery	Mail Code 242 2815 Indianapolis Blvd. Whiting, IN 46394-1692 (219) 473-3148	Whiting Refinery and other Amoco properties	Addresses dumping issues on Amoco property; outreach, education and cooperative projects

NATURE OF THE PROBLEM

Illegal dumping occurs primarily in lower-income areas, on abandoned or out-of-the way industrial properties, on remote private properties, and along the interstate highways between Indiana and Illinois (Photos 1-2). According to Solid Waste District officials, dumping is not much of a problem in Porter and LaPorte County. However, Lake County responds to hundreds of complaints each year. Though most dumping is concentrated in Gary, Hammond, and East Chicago, complaints come in from throughout the county. Gary has identified over 50 persistent dumpsites and Hammond receives between 50-75 complaints reporting incidents.

Illegally dumped waste consists primarily of tires, C&D debris, white goods (especially in rural areas), junk cars, bulk items, and yard waste (Photos 3-4). Dumpers include residents, small contractors, waste haulers, hauling companies and tire jockeys. Motivating factors include laziness, lack of knowledge of proper waste disposal, and lack of enforcement of regulations. In addition, law enforcement agencies may lack knowledge of applicable ordinances, authority to prosecute offenders or are pursuing other more violent crimes. Illegal dumping may be linked to the use of transfer stations which are not equipped to handle small loads. Residents with small loads have trouble finding suitable locations to dispose of waste and may end up illegally dumping it.

Lake County inadvertently acquired the Roland dumpsite, a tax-delinquent property which was operated as a dump for many years containing large truckloads of industrial waste, tires, shingles, and scrap metal (Photos 5-6). Despite warning signs and barriers constructed around the site, large-scale dumping persists, with signs shot out and barriers knocked down.

STATE EFFORTS

IDEM's Solid Waste Compliance Section has inspectors for Lake, Porter and LaPorte Counties responsible for inspecting sites and monitoring cleanup activities. Local citizen's groups (including the Shirley Heinze Foundation, Save the Dunes Council, Grand Calumet Task Force, and Nature Conservancy), local governments and residents bring sites to the attention of IDEM using a toll-free number listed in the telephone book. Inspections are coordinated with local inspectors and police or fire department officials in small towns. Local authorities are enlisted to identify landowners. Cases involving wetlands are coordinated with the Department of Natural Resources.

Inspectors photograph, prepare waste descriptions, estimate volumes, determine impacts to surface water or groundwater, and determine whether open burning has taken place during site inspections. A letter of warning with a copy of the inspection report is then sent to the responsible party, requiring clean up within 30 days. The landowner is considered responsible except when the dumper can be identified from evidence in dumped material, in which case it is turned over to the Office of Criminal Investigation. If the responsible party does not respond, a notice of violation (NOV) is issued requiring a conference to negotiate a settlement covering the cleanup cost and penalties. If there is still no response, a warning letter is issued indicating penalties of \$20,000 per day of noncompliance. The Office of Legal Counsel pursues legal action against violators who do not respond to NOVs. State laws governing illegal dumping are documented in the Administrative Code and Environmental Management Act. Inspectors may conduct surveillance; however, they are not armed and have no authority to arrest violators. If dumping is observed, inspectors communicate with local police using cellular phones. If a violator is caught in the act, inspectors photograph or videotape the incident, and enforcement activities occur as described above.

A database is used to track over 400 dumpsites. When responding to tire dumping incidents, inspectors sometimes mark the tires with "IDEM" in fluorescent paint to deter the dumpers from returning. Road

barricades have been installed to deter repeat dumping but residents complained and they were removed. During 1994-95, over 900,000 tires, 60 tons of construction debris, and 40 tons of yard waste were removed from 30 illegal tire dumps and 12 open burning sites.

The Office of Solid and Hazardous Waste Management and Office of Solid Waste Compliance have prepared and distributed a variety of educational materials. These materials are distributed to all interested parties. A videotape was prepared on tire dumping and is shown on local television. The Office of Pollution Prevention and Technical Assistance provides funding for preparation and distribution of education and outreach materials and household hazardous waste collection days.

COUNTY EFFORTS

The Lake County Solid Waste District combats illegal dumping and is working for legislation that would give them authority to prosecute dumpers in small claims court and collect fees. A “model project” grant from IDEM allowed for preparation of two videotapes about illegal dumping to educate residents about the problem and resources needed to combat it.

Though the Department of Health lacks enforcement authority, it responds to complaints and is involved at sites presenting health hazards (such as mosquito-infested tire dumps). If a site does not present a health hazard, it is referred to the Planning Commission. If it contains hazardous waste, it is referred to IDEM. The County Sheriff’s Office addresses open burn sites. Sites are photographed and a letter is sent to property owner(s) citing violations and specifying a response date. If no response is received, the site is reinspected and a second letter is sent if the site has not been addressed. The Department addresses hundreds of sites each year. Non-responses are referred to the county prosecutor (John Dulle), and the county’s attorney for health-related cases (Charles Brooks), who are responsible for pursuing legal action.

The Planning Commission receives complaints and conducts inspections primarily on private properties. A sticker or tag is left with notification of the violation and a telephone number of the Solid Waste District to obtain information on proper disposal. A Zoning Violation Report is completed and sent to the property owner giving 14-30 days to respond. If there is no response, the matter is referred to the county assistant attorney for legal action.

Though the Department of Public Works lacks enforcement authority, it responds to citizen complaints, demolishes unsafe buildings and clears waste from county-acquired properties. Dumping along roadways is referred to the Highway Department. Collected tires are difficult to manage because shredding companies only accept clean tires. Metals are taken to scrap yards (Photo 8). Berms or ditches are constructed to limit access to dumping areas.

MUNICIPAL EFFORTS

Gary

The Air and Land Pollution Control Department responds to complaints and cleans up sites not addressed by responsible parties, but lacks enforcement authority. The Code Enforcement Division has authority to enforce codes and writes citations, but cannot arrest offenders. If caught in the act, violators and their vehicles can be detained by Police, and a code enforcer issues a citation. Cases are filed in city court and heard weekly, with fines ranging up to \$2500/day in addition to impoundment costs.

The General Services Department cleans up city-owned properties and barricades abandoned streets with piles of dirt or gravel or concrete dividers (Photo10). Under the “adopt-a-lot” program, communities

“adopt” city properties, clean up and maintain them. A City contract with a tire disposal company allows residents to arrange for free tire disposal. Services are advertised on cable television.

Hammond

The Department of Environmental Management responds to citizen complaints and patrols the city to identify suspicious vehicles, which can be stopped to show tipping receipts. If a dumper is caught in the act, police are contacted but rarely issue tickets. If dumpers cannot be identified, property owners are held responsible for cleaning up sites and restricting access. If a property owner is cooperative, no legal action is taken. If they do not cooperate, ordinance violations are cited and the Legal Department pursues the case in municipal court. Collected fines go to a fund used to prepare cases. If a property owner does not clean up a site, the City can conduct the cleanup and file a lien on the property to cover costs. If a dumper is identified from the waste material, legal action can be taken against the dumper instead of the property owner. If a state statute is violated, the case is turned over to the County Prosecutors Office.

The city has an agreement with a local junkyard with a tire shredder to exchange scrap metal for accepting waste tires at no charge. To eliminate repeated illegal dumping on an abandoned street between Hammond and East Chicago, the City worked with East Chicago and Amoco to fence it off (Photo 11). The Street Department charges \$6 per unit to pick up white goods, tires and yard waste from residents and participates in annual “spring cleanup days”.

INDUSTRY EFFORTS

The Amoco Whiting Refinery located in Whiting, Hammond, and East Chicago maintains a 24-hour telephone line that local citizens and employees can use to report concerns, including dumping. Amoco quickly responds, cleans up the material and incurs all related cleanup and disposal costs. If a dumper is caught in the act, police are contacted and charges pressed. Waste piles are cleaned up quickly and areas are landscaped to prevent future dumping (Photo 14). Amoco removed truckloads of tires, sofas, refrigerators, televisions, glass, etc. from White Oak Avenue south of 141st street. After the cleanup, fencing was installed and “Road Closed” signs were posted to prevent access and further dumping. Amoco does not record or track incidents.

Amoco employees volunteer to maintain the Amoco Lost Marsh (Photo 15). Volunteers removed debris from the marsh and maintain the area as a natural wildlife habitat. Signs were posted to enlist community support to keep the area clean. Amoco supports other programs in the community, including (1) funding for community improvement efforts, (2) education programs such as Earth Camp, Enviromobile and library materials in 60 schools, and (3) Ducks Unlimited Greenwing Program. Amoco also participates in the Grand Calumet Area Partnership, which involves various stakeholders working together on issues common to industries, government, regulators, and the community. Amoco sponsors regular cleanups of beaches, renovation of parks, and maintenance of natural areas.

ADDITIONAL RESOURCES NEEDED

- (1) surveillance equipment, two-way radios, cameras, and night vision scopes
- (2) stronger ordinances giving greater enforcement authority to counties and municipalities
- (3) additional inspectors, surveillance and enforcement activity
- (4) community education and outreach, including signs, videotapes, and brochures illustrating proper waste disposal methods and consequences of illegal dumping
- (5) cleanup equipment and a large-capacity tire crusher
- (6) Immediate sampling capabilities and resources for in-depth studies of dumping areas.
- (7) Coordination among police, public works and health officials and prosecutors to prepare consistent ordinances
- (8) Convenient locations for residents to legally dispose of tires and other wastes

POTENTIAL BEST MANAGEMENT PRACTICES

- Construction of fences and berms to prevent access to abandoned areas and property
- Landscaping and renovation of areas to make them more attractive and inspire community pride
- Preventing additional dumping by immediately cleaning up sites
- Adopt-a-lot program



Photograph No. 1

Date: May 12, 1997

Location: Gary, Indiana

Description: Mounds of roadside trash near the intersection of 26th Street and Clark Road



Photograph No. 2

Date: May 12, 1997

Location: Gary, Indiana

Description: Abandoned industrial area at the intersection of 9th Street and Cline Avenue; area is subject to general drive-by dumping and was cleaned up 2 weeks earlier; area is normally full of waste



Photograph No. 3

Date: May 13, 1997

Location: Lake County, Indiana

Description: Illegally dumped roofing shingles and tires at 500 East Chicago Road near Industrial Road



Photograph No. 4

Date: May 13, 1997

Location: Lake County, Indiana

Description: Illegally dumped material, including a washing machine and a large fuel or oil tank, at the Roland Dump site



Photograph No. 5

Date: May 13, 1997

Location: Lake County, Indiana

Description: Huge piles of illegally dumped tires and boards at the Roland Dump site



Photograph No. 6

Date: May 13, 1997

Location: Lake County, Indiana

Description: Illegally dumped drums and large items of debris at the Roland Dump site



Photograph No. 7

Date: May 12, 1997

Location: Gary, Indiana

Description: An abandoned house containing and surrounded by illegally dumped residential waste; house is located at the intersection of 25th Street and Clark Road



Photograph No. 8

Date: May 13, 1997

Location: Lake County, Indiana

Description: Illegally dumped metal refuse at the Roland Dump site



Photograph No. 9

Date: May 12, 1997

Location: Gary, Indiana

Description: "No Dumping" sign surrounded by illegally dumped trash at the intersection of 95th Street and Cline Avenue



Photograph No. 10

Date: May 12, 1997

Location: Gary, Indiana

Description: Successful illegal dumping prevention effort where city property along railroad right-of-way is protected by use a concrete barricade



Photograph No. 11

Date: May 14, 1997

Location: Whiting, Indiana

Description: Successful illegal dumping prevention effort of closing and fencing off a stretch of unused roadway at the intersection of 141st Street and White Oak Avenue



Photograph No. 12

Date: May 14, 1997

Location: Whiting, Indiana

Description: Illegally dumped tire and white goods on Amoco property along 141st Street



Photograph No. 13

Date: May 14, 1997

Location: Whiting, Indiana

Description: Illegally dumped trash covered by plastic sheeting on Amoco property located at the intersection of 126th and Merlini Streets



Photograph No. 14

Date: May 14, 1997

Location: Whiting, Indiana

Description: Former site of large industrial building that Amoco demolished; site was turned into a park area



Photograph No. 15

Date: May 14, 1997

Location: Whiting, Indiana

Description: Signs posted in Amoco's Lost Marsh area denoting it as a wildlife area and asking public to keep it clean