

Illegal Dumping Issues in Martindale-Brightwood

What is Illegal Dumping?

Illegal dumping is the intentional act of trash disposal in unacceptable areas.

Illegal dumping is an unhealthy and unattractive crime and promotes the deterioration of neighborhoods and attracts criminal activity (U.S. EPA *Illegal Dumping Prevention Handbook*, 1998).

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Areas used for illegal dumping may be easily accessible to people, especially children, who are more vulnerable to sharp objects, hazardous chemicals and many other health and safety hazards.

It's a crime to dump illegally in Indiana (Indiana Code (IC) 13-30-2-1 and 13-30-3-13! Additionally the following city ordinances apply: Chapter 341-Boats; Docks, and Waterways; Chapter 361-Litter; Chapter 391-Nuisances; Chapter 431-Streets, Sidewalks, and Public Ways; Chapter 575-Environmental Public Nuisances; Chapter 601-Garbage, Trash, and Refuse; Chapter 631-Parks and Recreation; Chapter 671-Sewers and Sewage Disposal; Chapter 735-Wellfield Protection; Chapter 955-Waste, Rubbish and Trash Hauling.

What do Illegal Dump Sites Contain?

Illegal dump sites typically contain one or more of the following waste types:

- **Land clearing wastes** which usually consist of a combination of cut stumps, trees, limbs, brush, leaves, grass, and other naturally occurring vegetation.
- **Inert debris** is made up of unpainted concrete, brick/concrete block masonry, uncontaminated soil, rock, and gravel.
- **Construction and demolition wastes** are also known as C&D is generated from construction, remodeling, repair or demolition on buildings or other structures. Some examples include insulation, plywood, particle board, treated and painted wood, roof shingles, wire, asphalt piles, wallboard, and siding.
- **White goods** are large household appliances that no longer function; examples include refrigerators, dishwashers, ovens, and washer/dryers.
- **Automotive wastes** typically include abandoned vehicles, fuel tanks, scrap tires, and various automotive parts and accessories.
- **Residential** typically include items such as televisions, aquariums, carpet, furniture, and other items found in the interior of homes

- **Household trash/litter** includes all forms of domestic paper and plastic waste, food items and other miscellaneous items.
- **Hazardous materials** are sometimes mixed with non-hazardous trash and consist of some of the following: unlabeled drums, solvents, used oil containers, pesticides, lead painted items, asbestos related debris (asbestos fibers can be found in asphalt singles, transite siding, piping insulation, floor tiles and ceiling tiles), and paint cans.

*****Methamphetamine Lab Waste Warning***¹**

A methamphetamine lab is an illegal operation set up to produce the illegal stimulant, methamphetamine or “Meth”. There are several methods to produce Meth, but they use a variety of chemicals including explosives, solvents, metals, salts, and corrosives. The fumes, vapors, after salts, and spillage associated with the manufacturing can be toxic.

Because it is an illegal activity, Meth producers may dispose of their labs, evidence, and production waste by dumping it. If you discover propane tanks, tubing, duct-taped bottles or coolers, coffee filters stained with a reddish tint, or a strong smell of ammonia or ether, stay away from the area and call the Indianapolis Police Department (911). Do not touch, move or open any kind of tank or sealed container. Be aware that propane tanks are often weakened and brittle due to the anhydrous ammonia and are sensitive to any kind of movement or impact. The drug can also be produced using only a two-liter soda bottle. Do not touch two-liter soda bottles that contain a brown and white sludge.

¹ PA CleanWays, Guidelines for Littering and Illegal Dumping Enforcement, 5 Steps for Successful Enforcement

Where does Illegal Dumping Occur in Martindale Brightwood?

Vacant lots, unused industrial/commercial facilities, “brownfields”, remote locations such as dead-end alley ways, undeveloped spaces and abandoned structures are favorite spots of illegal dumpers. Areas with unoccupied properties usually have a higher rate of illegal dumping because of the reduced potential for dumpers to be caught.



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Other areas such as poorly lit alley ways and access roads, properties near railways and highways, and public areas with dumpsters are also places that attract illegal dumpers.

Illegal dumping can occur at any time of day but is more common at night or during early morning hours during warmer months (U.S. EPA

Illegal Dumping Prevention Handbook, 1998).

According to the City of Indianapolis Department of Public Works (DPW), the following illegal dumping service requests were compiled for the Martindale Brightwood area (zip code 46218) during the time period of 2008-present for both public/private properties and right-of-ways. Additionally, a comparison of total requests for Marion County was compared to that of Martindale Brightwood for each year.

DPW Illegal Dumping Service Requests			
2008	Zip Code 46218	Marion County	% Of Total
January	9	94	10%
February	12	123	10%
March	18	169	11%
April	33	262	13%
May	24	159	15%
June	24	233	10%
July	25	251	10%
August	33	234	14%
September	27	182	15%
October	23	198	12%
November	11	116	9%
December	15	105	14%
Totals	254	2,126	12%
2009	Zip Code 46218	Marion County	% Of Total
January	8	92	9%
February	12	110	11%
March	39	215	18%
April	27	216	13%
May	40	218	18%
June	30	228	13%
July	18	219	8%
August	28	264	11%
September	22	213	10%
October	22	156	14%
November	23	156	15%
December	16	92	17%
Totals	285	2,179	13%
2010	Zip Code 46218	Marion County	% Of Total
January	6	68	9%

Martindale Brightwood represents only a small portion of Marion County (less than 1%) yet accounts for 12-13% of all illegal dumping service requests for the county.

Based on these available figures, there were 254 service requests in 2008 and 285 service requests in 2009. On average, 12-13% of all service requests within Marion County were based in the Martindale-Brightwood area. Martindale Brightwood is approximately 2.6 square miles in size which represents only a small portion of Marion County (less than 1%) yet accounts for 12-13%

of all illegal dumping service requests for the county. As would be expected, more service requests were received in the spring; summer and early fall time periods.

Who are the Illegal Dumpers?

All sorts of people pollute and dump illegally for a number of reasons. Some offenders include construction, demolition, and land clearing contractors, vehicle repair garages, tire shops, waste hauling companies, scrap collectors, various commercial owners and local residents.

People dump illegally to save money or to make a profit, convenience, ignorance of the law, disregard to authority, habit, hide other illegal activities, lax law enforcement, few or no convenient disposal sites, or laziness.

Some of the reasons why people dump illegally include to save money or to make a profit, convenience, ignorance of the law, disregard to authority, habit, hide other illegal activities, lax law enforcement, few or no convenient disposal sites, or laziness.

Based on discussions with the Marion County Health Department (MCHD)-Department of Water Quality and Hazardous Material Management, thirteen (13) Notice of

Violations (NOVs) related to illegal dumping were issued on private properties between the time periods of 2007-2009. Eleven (11) of the 13 NOVs were given compliance letters because the open dumping issues were cleaned up and no further action was required. One of the NOVs was deferred to another department (Mosquito Control) and no action was taken.

The final NOV was related to the 2108 Columbia Avenue property (Brownfield site) which formerly served as a small auto salvage/repair garage and was littered with automotive-related remnants (abandoned vehicles, used oil barrels, oil stained floors, misc. auto parts, etc.) and two dilapidated buildings. Reportedly, the property owner could not be located and owed several thousands of dollars in back property taxes. The Property was also adjacent to an old railroad right-of-way and the fence gate was wide open/missing locks which also lead to several years of illegal dumping at this property. Below are two photographs of the site before and after the area was cleaned up.



Before



After

Additionally, the MCHD's Housing Department coordinated to raze the buildings, this process happened fairly quickly (less than a year) as compared to other properties with similar circumstances. MCHD's Environmental Control Department removed a large portion of the debris and abandoned vehicles. Following the clean-up, the City of Indianapolis, DPW placed two concrete highway barricades in the front gate area to restrict access. Previous attempts to use heavy chains and locks by the MCHD proved unsuccessful. Prior to the clean-up, the City of Indianapolis, Department of Metropolitan Development had already started to find potential buyers of the property for redevelopment. It should be noted that all of the above activities would normally be the responsibility of the property owner after a NOV is issued; however this was not possible for this property.

The City of Indianapolis, Department of Code Enforcement (DCE)-Bureau of Environmental Services, compiled a list of all illegal dumping complaints or calls received through the Mayor's Action Center in 2009. According to the DCE, there were seventy-one (71) illegal dumping reports filed in 2009. A map displaying the approximate locations of the each illegal dump site is provided in Appendix B.

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Why is Illegal Dumping a Problem?

The impact of illegal dumping can pose threats to human health, safety, and the environment, economic redevelopment, and community growth (NDDENR *Illegal Dumping* 2008).

Human Health, Safety and the Environment

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Illegal dumps provide breeding places for insects, rodents and other pests. Dumpsites with tires are prime breeding grounds for mosquitoes. Tires can hold large quantities of stagnant water which allow mosquitoes to breed. Studies have shown that mosquitoes breed **100** times faster under these conditions. Mosquitoes can carry dangerous illnesses such as encephalitis, West Nile Virus or other dangerous diseases. Illegal dumps can contaminate surface and

groundwater. Based on the area characteristics, dumps can keep water from properly draining which may lead to flooding. Illegal dumps can also pose a fire risk; disrupt wildlife habitats and present physical hazards to human health.

Abandoned refrigerators or freezers may appear attractive play spaces to children, who like to play inside of them. Children have become trapped and suffocated in improperly disposed appliances. Older appliances or rusted metal debris can also severely cut or injure unsuspecting children and adult.

Chemical hazards at illegal dumps can come from a number of sources. Some common sources are batteries, epoxies, waterproofing agents, commercial cleaning compounds, used oils and potentially asbestos containing materials (ACM). It should be noted that ACM were once used in more than 4,000 building products. Certain types of ACM can become easily airborne. Unless ACM is handled carefully, its fibers can float free and be inhaled. Lung cancer, mesothelioma and asbestosis can result from prolonged exposure to these fibers.

Drywall, which is often made of gypsum, is another commonly dumped item. Under certain conditions, improperly disposed gypsum drywall can produce hydrogen sulfide gas that can explode in high concentrations. It also has an offensive odor. Decomposing wastes also generate methane and other gases. Methane is explosive at certain levels.



Lead based paint is another contaminant found frequently at illegal dumpsites. Estimates show half of the housing (older homes) in the U.S. contains some lead-based paint. Demolition or reconstruction waste from these estimated 64 million older homes should be carefully disposed to avoid risking lead contamination. Exposure to lead or lead poisoning is a special risk to children and even adults. Lead poisoning is most commonly found in children due to their small bodies absorbing more lead than adult bodies do, and the lead affects them more

because their bodies are still growing. High levels of lead in children have been shown to result in learning disabilities, behavioral problems and mental retardation (NDDENR *Illegal Dumping* 2008).

Economic Redevelopment

Dumpsites often act as a magnet for more dumping and other criminal activities.

Developers are often reluctant to invest heavily in areas with scattered dumpsites. Dumpsites often act as a magnet for more dumping and other criminal activities. These activities decrease property values and make the area less attractive to commercial and residential developers hence discourage new residents and businesses. Tax dollars are taken away that could be better spent to serve the community.

Community Growth

Neighborhood residents like to take pride in their cities and towns, but illegal dumps make that very hard to do. Properties that are not cleaned up promptly often attract additional illegal dumpers. It is quite common for a “little” dump to turn into a much larger trash problem in a matter of weeks.

People are more likely to dump on property where trash already exists. Property owners can also be affected when trying to sell property. No one wants to buy a dumpsite and few property owners want to pay to clean up a mess they didn’t make. Tracing long dumped material back to its owner can be very difficult if not impossible. Property owners should act quickly when their land has been dumped on.

How do I Report Illegal Dumpers?

If you witness illegal dumping in your area, do not risk your personal safety and approach the suspected violator or enter into a dangerous situation. Call “911” and contact the Indianapolis Police Department. Additional contact agencies are listed in Appendix B. If you are able to get additional information without endangering yourself, please attempt to gather the following:

- Specific location/address
- Date and time of the incident
- License plate number and description of the vehicle involved
- Name of business on vehicle
- Ownership of the site, if known
- Location and directions of the incident
- Your contact information

A timely report, along with clear evidence or information, could help identify the person(s) or company responsible for the dumping.

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How do I Report an Illegal Dump Site?

If you notice an illegal dump site, please contact the Indianapolis Mayor Action Center (MAC) at **327-4622**. Once again, if you are able to get additional information without endangering yourself, please try and obtain the following information:

- Specific location of the dumpsite
- Directions to the dumpsite
- Approximate size of the dumpsite
- Type of materials(s) in the dumpsite (*see above for descriptions of waste*)
- Property owner information, if available

How can I Stop Illegal Dumping in my Area?

There are a number of ways that you can help in stopping the spread of illegal dumping in the Martindale Brightwood neighborhoods and surrounding commercial areas.

- Get to know your neighborhood board or coalition group and let them know about your local street or block problems
- Put litter in approved receptacles
- Lock-up dumpsters at businesses or public locations when not in use.
- Utilize free recycling opportunities in or near your area and organize neighborhood cleanups (**Keep Indianapolis Beautiful Recycle & Reuse Guide with map and contact information** – see the attached website address: www.kibi.org/recycle_and_reuse_guide)
- Utilize free Tox Drop locations in your area which can also be located at the Keep Indianapolis Beautiful website.
- Adopt a block, street, park captain or recruit volunteers; set one hour, one day each month to police an area to rid it of litter.
- In areas of illegal dumping provide additional lighting, signage, or street blockades (i.e. concrete barriers).
- Rehabilitate illegal dump areas with new landscaping / beautification techniques.
- Continue to report illegal dumping. Violators may not be directly dumping on your property, but they are dumping in your community where your children play.

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- Work and lobby with the City of Indianapolis to provide new techniques to stop illegal dumping in your area. Ideas that have been implemented in other cities include:
 - Nail a Dumper hotline (Franklin, OH);
 - Convicted illegal dumpers required to run a full page ad in local newspaper apologizing for violation (Charlotte, NC);
 - Corporations in your area pay to cleanup dumping problems on their property and also pay any enforcement actions associated with the dumping (Philadelphia, PA);
 - Increase fines, mandatory community service, jail sentences, terminate city contracts, seizure and impoundment of vehicles including storage and towing fees and pay 3 times the cleanup cost for illegal dumping (Chicago, IL).

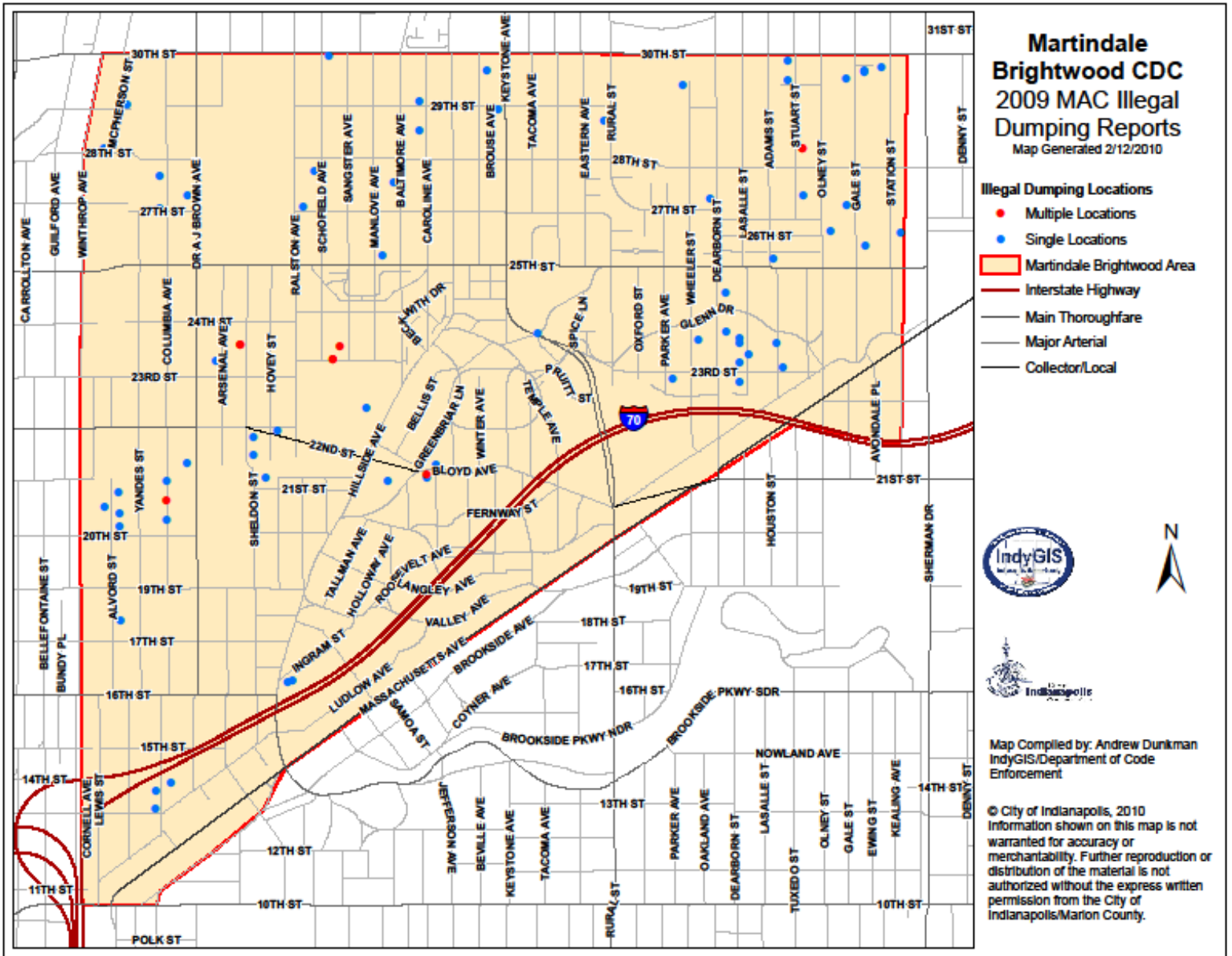
APPENDIX A

REFERENCE SOURCES

Helpful resources related to illegal dumping are provided below.

- 1) U.S. EPA Region 5, Illegal Dumping Prevention Guidebook, March 1998 link, [il-dmpng.pdf](http://www.epa.gov/reg5cra/wptdiv/illegal_dumping/downloads/il-dmpng.pdf), (http://www.epa.gov/reg5cra/wptdiv/illegal_dumping/downloads/il-dmpng.pdf)
- 2) U.S. EPA Region 5 Waste, Illegal Dumping Prevention Project, http://www.epa.gov/reg5rcra/wptdiv/illegal_dumping/index.html
- 3) City of Indianapolis, Department of Public Works – Illegal Dumping, www.indy.gov/EGOV/CITY/DPW/RESIDENTIAL/DUMPING/Pages/home.aspx
- 4) City of Indianapolis, Office of Code Enforcement, <http://www.indygov.org/eGov/City/CodeEnforcement/pages/home.aspx>
- 5) Keep Indianapolis Beautiful, www.kibi.org
- 6) Illegal Dumping-Brownfields Program-Capstone Project 2008 Final Report, School of Public and Environmental Affairs, Indiana University-Purdue University Indianapolis, May 4, 2008 link, [CAPSTONE V600 FINAL REPORT MAY 6.pdf](http://www.pse.edu/capstone/V600/FINAL%20REPORT%20MAY%206.pdf)
- 7) North Carolina Department of Environment and Natural Resources, Solid Waste Program, Enforcement, Illegal Dumping, <http://wastenot.enr.state.nc.us/swhome/illegaldumpinginn.htm>
- 8) Pennsylvania CleanWays-Publications and Illegal Dumping Surveys, Guidelines for Littering and Illegal Dumping Enforcement-5 Steps for Successful Enforcement, www.pacleanways.org

APPENDIX B 2009 ILLEGAL DUMPING SITE MAP²



² Map created by the IndyGIS Department of Code Enforcement

APPENDIX C

List of Agency Contacts³

Agency	Contact Name	Contact Number	Responsibilities
Indianapolis Metropolitan Police Department (IMPD) Environmental Unit reporting to the Department of Code Enforcement	Officer Bradley Craig	1-317-327-4622, C8365@indy.gov	Receives complaints from the City and proactively locates and investigates complaints of illegal dumping and litter across Marion County. Investigates sites and attempts to track dumping sources and charges/brings fines to party. Evaluates sites and coordinates efforts of outside agencies, if necessary.
Indiana Department of Environmental Management (IDEM)	Katie England, Coordinator	1-800-451-6027	Receives complaints across Indiana regarding pollution, toxic spills, and soil and air contaminants. Complaints regarding Marion County are referred to agencies within Marion County to address unless magnitude requires assistance from IDEM.
Department of Public Works (DPW)	Shawn Brock, Supervisor	317-327-4000	In addition to garbage collection and maintaining recycling programs, DPW responds to publicly owned sites that have been dumped upon and then removes refuse. Can request/notify other outside agencies of serious dump sites and/or sites with dangerous contaminants to secure and clean site.
Department of Code Enforcement, Bureau of Environmental Services	Cheryl Carlson, Enforcement Supervisor	1-317-327-2281	An office within DPW charged with coordinating responses to complaints, this office coordinates efforts regarding dumping, littering, open-air burning, and spills into Marion County's waterways and ditches.
Mayor's Action Center (MAC)	Brenda Woodson, Shift Supervisor	1-317-327-4622	Directs incoming complaints regarding publicly owned lands to DPW and private property to MCHD.
Marion County Health Department (MCHD)	Adam Rickert, Water Quality and Hazardous Material Management	1-317-221-2298	Agency largely responsible for responding to complaints of dumping on privately-owned property including commercial properties and/or dumping into and along waterways. MCHD also works with long-term compliance issues with illegal dumping sites.

³ Illegal Dumping-Brownfields Program, Capstone Project 2008, School of Public and Environmental Affairs, Indiana University-Purdue University Indianapolis, May 4, 2008.