



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

October 1, 2007

**RE: ADAMS COUNTY
SITE GENERAL
20070460
NOTICE OF VIOLATION**

Mr. Daniel Owczarazak
1035 Ledro Street
Cincinnati, Ohio 45200

Dear Mr. Owczarazak:

The Ohio Environmental Protection Agency's (EPA) Southeast District Office received a complaint that the junk yard and open dump that you are operating located off of Eagle Creek Road in Adams County, burned on September 20, 2007.

In response to the complaint, I conducted an inspection of your property on September 25, 2007. During my inspection, I observed approximately seventy five (75) motor vehicles, on your property, along with assorted solid wastes in the form of scrap metal. Numerous junk cars, scrap, and scrap tires had burnt during this fire.

I contacted the Adams County Auditors Office and was informed that you are not registered as a junk yard in Adams County.

Where is the final disposition of the vehicles that you have on your property?

Please be advised that if you are engaged in the business of selling salvaged motor vehicles or motor vehicle parts, you must obtain a salvage motor vehicles license from the State of Ohio's Department of Highway Safety/Bureau of Motor Vehicles in accordance with Chapter 4738 of the Ohio Revised Code.

If you are operating a junk yard, you must obtain a junk yard license, issued by the Adams County Auditor's Office in accordance with Chapter 4737 of the Ohio Revised Code (ORC). According to ORC Chapter 4737, a junk yard must be inspected annually by the Adams County Sheriff's Department. Upon passing the inspection, the junk yard owner must take the appropriate form received from the Sheriff's Department to the Auditor's Office and be issued a junk yard license.

Under ORC section 505.173, the board of township trustees may adopt resolutions as the board considers necessary to regulate the storage of junk motor vehicles on private or public property within the unincorporated area of the township.

SITE GENERAL
20060109
OCTOBER 1, 2007
PAGE 2

Please be advised that OAC Section 3745 and ORC Rule 3734 prohibits open dumping. Open dumping and open burning of solid waste is a violation of Chapter 3734 of the Ohio Revised Code (ORC) and Section 3745-27 of the Ohio Administrative Code (OAC).

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

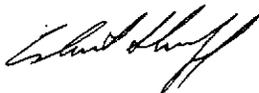
OAC 3745-27-05(C) - No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person responsible for the open dumping, the owner of the property, or the person who allows or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734, of the Revised Code, and shall submit verification that the solid waste has been properly managed.

Presently, you are in violation of the above referenced rules.

Open dumping of solid wastes must cease immediately. All solid wastes located on your property must be removed and taken to a licensed solid waste disposal facility or recycling facility for proper disposal. Obtain receipts from the landfill or recycling facility that received the wastes and provide those copies to this District Office in order to document your compliance. I am requesting that you respond to me at this District Office within ten days of receipt of this letter to indicate your intentions and actions taken to abate the above noted violations regarding your open dump.

Should you have any questions, please contact me at (740) 380-5246.

Sincerely,



Clint Shuff, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management
Ohio Environmental Protection Agency
Southeast District Office

CS/jg

cc: Jason Work, Adams County Health Department
cc: Karen Sapp, Director Adams County Emergency Management