



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 2, 2011

**RE: ADAMS COUNTY
SITE-GEN**

James Spears
10773 Shipley Court
Cincinnati, Ohio 45660

Dear Mr. Spears:

Ohio EPA has received a complaint of illegal disposal of solid waste at your property located at 296 George Bielyll in Adams County. I recently conducted a site investigation of this property.

During this investigation, I observed a large amount of solid waste piled in an excavated pit behind the burned trailer site and the outbuilding. The pit appeared to contain both solid waste and demolition debris. There were also about 50 – 60 scrap tires scattered about the property.

Please be advised that open dumping of solid waste and illegal disposal of construction and demolition debris are violations of Ohio Revised Code (ORC) and Ohio Administrative Code (OAC). Specifically:

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

OAC Rule: 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.

OAC Rule: 3745-400-04(B) - No person shall conduct or allow illegal disposal of construction and demolition debris.

You are in violation of these statutes. Disposal of solid waste and demolition debris in this manner should cease. All material must be removed for proper disposal. The material must be legally disposed of at a licensed solid waste facility.

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Please provide a copy of your disposal receipts to this office. Please respond in writing within 14 days receipt of this letter as to your intentions to address the violations that exist on your property. Should you have any questions regarding this letter, please feel free to contact me at (740) 380-5438.

Sincerely,



Daniel L. Bergert, R.S.
Division of Materials and Waste Management

DLB/jg

cc: Jason Work, R.S., Adams County Health Department