OhioEPA

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

April 2, 2010

RE: ADAMS COUNTY SITE - GENERAL 30001320

Ms. Sue Jahantab
29589 Mira Loma Drive
Temecula, Ca. 92592

Dear Ms. Jahantab:

The Southeast District Office of Ohio EPA received a complaint that open dumping of solid waste is occurring on property off Sherwood Black Road in Adams County, Ohio. I conducted an inspection of the property on March 30, 2010. I was accompanied by Jason Work with the Adams County Health Department. Property records obtained from the Adams County Courthouse indicates that this property belongs to you.

I observed burnt waste on this property. I was informed that at one time this was a residence that burned. A contractor cleaned up the burnt waste and loaded the waste in a roll-off box and the roll-off box owner dumped the waste back on to your property. As the property owner, you are responsible for the cleanup of the waste.

Open dumping of solid waste is a violation of Chapter 3734 of the Ohio Revised Code (ORC) and Section 3745-27 and 3745-400 of the Ohio Administrative Code (OAC).

Specifically:

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 waste must cease immediately. All solid wastes disposed at the described location must be removed from the property and taken to a licensed solid waste disposal facility for proper disposal. Obtain copies of receipts from the landfill that received the waste and provide those copies to this District Office in order to document your compliance. I suggest that you obtain the services of a registered waste hauler to assist you in your waste disposal.

The disposal facilities located nearest to you in Ohio is the Pike Sanitation Landfill at 11775 State Route 220, Waverly, Ohio; the Rumpke Landfill in Georgetown, Ohio; the Portsmouth Exempt Transfer Station, located on Elm Street in Portsmouth, Ohio. You may choose to use other permitted and licensed facilities.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in ORC Chapter 3734 and the rules promulgated thereunder, does not relieve the owner of his obligation to comply with other State and Federal laws and regulations.

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

Sincerely,

Clint Shuff, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

CAS/jg

cc: Jason Work, Adams County Health Department