



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 Korfeski, Director

October 5, 2009

**RE: ADAMS COUNTY
SITE - GENERAL
30001122**

Mr. Lewis Yutzy
5022 Unity Road
Peebles, Ohio 45660

Dear Mr. Yutzy:

The Southeast District Office of Ohio EPA received a complaint that open burning and illegal disposal of demolition debris is occurring on property located adjacent to Unity Road, in Adams County, Ohio. I conducted an inspection of the property on September 29, 2009. I met with you on this day to discuss the complaint. You stated that you burnt a structure to make property available for a new structure.

Ohio Administrative Code (OAC) 3745-400-01(F) - Construction and demolition debris or "debris" means those materials resulting from the alterations, construction, destruction, rehabilitation, or repair of any manmade physical structure, including, without limitation, houses, buildings, industrial or commercial facilities, or roadways.

Illegal disposal of demolition debris is a violation of Chapter 3714 of the Ohio Revised Code (ORC) and Section 3745-400 of the Ohio Administrative Code (OAC).

Specifically:

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

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

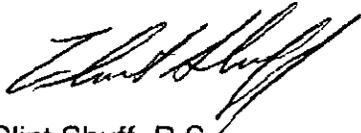
The disposal facilities located nearest to you in Ohio is the Pike Sanitation Landfill at 11775 State Route 220, Waverly, Ohio; the Rumpke Landfill in Georgetown, Ohio; the Portsmouth Exempt Transfer Station, located on Elm Street in Portsmouth, Ohio. You may choose to use other permitted and licensed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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Clint Shuff". The signature is stylized with a large, sweeping initial "C" and a long, horizontal stroke extending to the right.

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

CAS/jg

cc: Jason Work, Adams County Health Department