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

July 10, 2009

RE: ADAMS COUNTY
SITE - GEN
30000941

Mr. and Mrs. Grant Hillard
5409 Poplar Head Road
Holt, Florida 32564

Dear Mr. and Mrs. Hillard:

The Southeast District Office of Ohio EPA received a complaint that open dumping of solid waste and demolition debris is occurring at 2006 Greenbriar Road in Adams County, Ohio. I conducted an inspection of the property on June 17, 2009; no one was home on this inspection.

I observed that a mobile home has been razed on the property and that solid waste and demolition debris is in a sinkhole. Property records obtained from the Adams County Courthouse indicate that this property may belong to you.

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.

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. Photographs indicate open burning of wastes on your property and the wastes dumped on the ground and piled up by the Ohio River is considered open dumping.

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.

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.

Open dumping of solid waste and demolition debris must cease immediately. All solid wastes and demolition debris disposed at this property 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.

I am requesting that you respond to me at this district office within ten days of receipt of this letter to notify me of your intentions and actions taken to abate the open dumping.

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