



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6480  
www.epa.state.oh.us

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

October 29, 2007

**RE: ADAMS COUNTY  
ARRICK'S GAS  
20070277**

Lyons & Fries Co. L.P.A.  
3672 Spingdale Road  
Cincinnati, Ohio 45251

**CERTIFIED MAIL  
#7006 3450 0001 9056 2086**

Dear Mr. Lyons:

The Southeast District Office of Ohio EPA conducted a follow-up inspection on October 16, 2007, of the complaint that open dumping of demolition debris and asbestos waste has occurred on Arrick's Gas off of Jacksonville Road in Peebles, Adams County, Ohio. The demolition debris waste is from the former Peebles Elementary School now owned by T&J Community Service who you represent. I met with you on this inspection to discuss the disposal of the demolitions debris.

I was accompanied by Louis Boerger, Environmental Specialist, with the Portsmouth Local Air Authority on this inspection. Also present during this inspection was Ralph Arrick, owner of the business, and Attorney Jon Hapner representing the contractors Mr. McCann and Mr. Bentley who were also present.

Mr. Boerger collected samples of the wall board that were suspect for the contents of asbestos. Triad Environmental Consulting, Inc. analyzed five (5) samples collected by Mr. Boerger and reported that all samples were non-detect for asbestos. I have enclosed a copy of the asbestos report for your review and file.

The dump site contains approximately 80 to 100 dump truck loads of disposed demolition debris. Included in the dump site is clean hard fill, (brick, block, concrete, asphalt). The demolition debris must be removed and disposed of at a licensed demolition debris landfill or solid waste landfill.

Illegal disposal of demolition debris is a violation of Chapter 3714 of the Ohio Revised Code (ORC) and Chapter 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.

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OPEN DUMPING  
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The illegal disposal of demolition debris must cease immediately.

Please respond to this District Office within ten days of receipt of this letter to inform me of your clients' intentions and actions taken to abate the above noted violations.

Compliance with the requirements outlined in the letter, or the solid and infectious waste provisions contained on ORC Chapter 3734 and the rules promulgated thereunder, does not relieve the owner of his or her obligation to comply with other applicable 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

CS/jg

cc: Louis Boerger, Portsmouth Local Air Authority  
cc: Jason Work, Adams County Health Department  
cc: Karen Sapp, Adams County Emergency Management Director

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LYONS & FRIES CO LPA  
3612 SPRINGDALE RD.  
COLUMBIANA OH 45251

**COMPLETE THIS SECTION ON DELIVERY**

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*Jessie Paulsen*  Agent  Addressee

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Jessie Paulsen TAULMC 10/3/01

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