



State of Ohio Environmental Protection Agency

**Southwest District Office**

401 E. Fifth St.  
Dayton, Ohio 45402

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www.epa.state.oh.us

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

*Butler County  
Health Department  
Sun. Correspond.*

April 10, 2009

Mr. Walter Gray  
c/o Timothy Gray  
2041 Hamilton Eaton Road  
Hamilton, Ohio 45011

RE: **Return to Compliance**, Butler County  
2041 Hamilton Eaton Rd (Parcel Numbers L4910016000042, L4910016000043,  
L4910016000044)

Dear Mr. Gray:

On January 8, 2009, Ohio EPA received a letter from Frost Brown Todd LLC, Attorneys representing you dated December 30, 2008. This correspondence was submitted in response to my notice of violation letters dated July 31, 2008 and October 30, 2008 for the open dumping of miscellaneous solid waste and illegal disposal of construction and demolition debris on your property located at 2041 Hamilton Eaton Rd, (Parcel Numbers L4910016000042, L4910016000043, L4910016000044) Butler County, Ohio.

This letter and photos were submitted as documentation of your cleanup efforts on the property. I received copies of eleven (11) photos taken of the cleanup and copies of receipts from New Baltimore C&DD Landfill and CSI Waste Services as documentation of your cleanup efforts at the aforementioned property.

On January 9, 2009, via email correspondence with your legal representation, I requested additional documentation for the disposal of the scrap tires from the property. On February 26, 2009, I met with both facilities that took tires for disposal from the aforementioned property, and requested copies of their receipts documenting proper disposal. On March 5, 2009, I received the documentation from JR's Tire and J&J Tire indicating that all of the tires had been properly removed from your property and disposed within the guidelines outlined in my notice of violation letters dated July 31, 2008 and October 30, 2008.

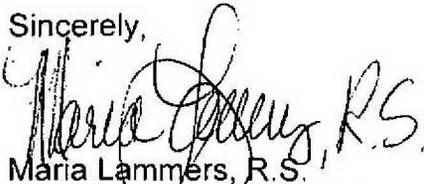
On April 2, 2009, I conducted a re-inspection of the site to verify that the clean up had been completed. During this inspection I noted that the construction and demolition debris and municipal solid waste had been removed from your property. The violations previously described during initial inspection conducted on July 8, 2008 and subsequent re-inspections on August 12, 2008 have been abated.

Compliance with the requirements outlined in this letter shall not relieve you of your obligation to comply with other legal obligations, including, but not limited to, Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Clean Air Act, Comprehensive Environmental Response, Compensation, and Liability Act, or Resource Conservation and Recovery Act remedying conditions resulting from any release of contaminants to the environment.

Thank you for your cooperation in resolving the complaint of open dumping and illegal disposal on your property located at 2041 Hamilton Eaton Road, Butler County, Ohio.

If you have any questions, please contact me at (937) 285-6046.

Sincerely,



Maria Lammers, R.S.  
Environmental Specialist  
Division of Solid and Infectious Waste Management

cc: Chief Environmental Services, Butler County Health Department  
Jerry Lanich, St. Clair Township Zoning Department  
Benjamin Yoder, Frost Brown Todd, LLC

ML/mab