



State of Ohio Environmental Protection Agency

Butler Co  
Health Dept  
Gen. Corr.

Southwest District

401 East Fifth Street  
Dayton, Ohio 45402-2911

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

July 31, 2007

Mr. Stephen J. Wilson  
2385 Jacksonburg Rd.  
Hamilton, Ohio 45011

**Re: Sipps Lane (Parcel#18 and #026), Butler County  
Return to Compliance (NOV dated 1/29/07)**

Dear Mr. Wilson:

On January 12, 2007, Cheryl Allen and I responded to a complaint of open dumping and conducted an inspection of your properties located on Sipps Lane (Lot #829-Parcel#18) and (Parcel #026). Your properties (Lot #829-Parcel#18) and (Parcel #026) were the site of open dumping of solid waste.

During the inspection the following was observed:

1. Miscellaneous solid wastes including but not limited to (scrap tires, pop cans, and a wooden wire mesh gate) were dumped around the culvert is in a sanitary sewer right-of-way, part of which is a declared flood plain of which connects to 4 Mile Creek (a tributary of the Great Miami River). This location is approximately 800 feet north of the Hamilton-New Baltimore Well Head Protection Area.

This is a violation of Ohio Revised Code (ORC) Section 3734.03, which states in part:

**"No person shall dispose of solid wastes...by open burning or open dumping..."**

Open Dumping is also a violation of OAC Rule 3745-27-05(C), which states:

**"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(s) responsible for the open dumping, the owner of the property, or the person(s) who allow 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".**

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Since 2003, I have had several meetings with your son (Christopher Wilson) and discussed the need for routine policing of the properties to help avoid future violations. Please be advised that it is the property owner's responsibility to cleanup any solid wastes and/or construction and demolition debris that may be illegally dumped on site.

On July 12, 2007, Monte Bluebaum and I re-inspected the site to verify that the clean up had been completed. Solid wastes and construction and demolition debris have been removed from your properties. The violations previously described during the January 12, 2007 inspection 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 efforts in correcting the violations of Ohio's solid waste rules and laws. If you have any questions, please contact me at (937) 285-6046.

Sincerely,



Maria Lammers, R.S.

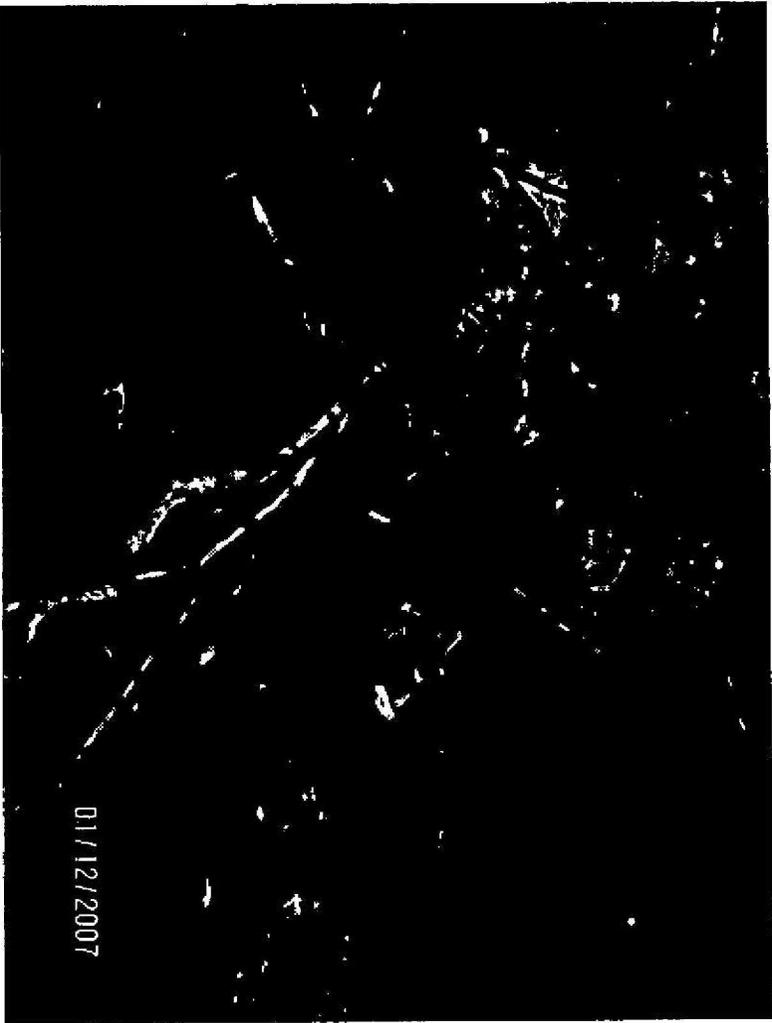
Environmental Specialist II

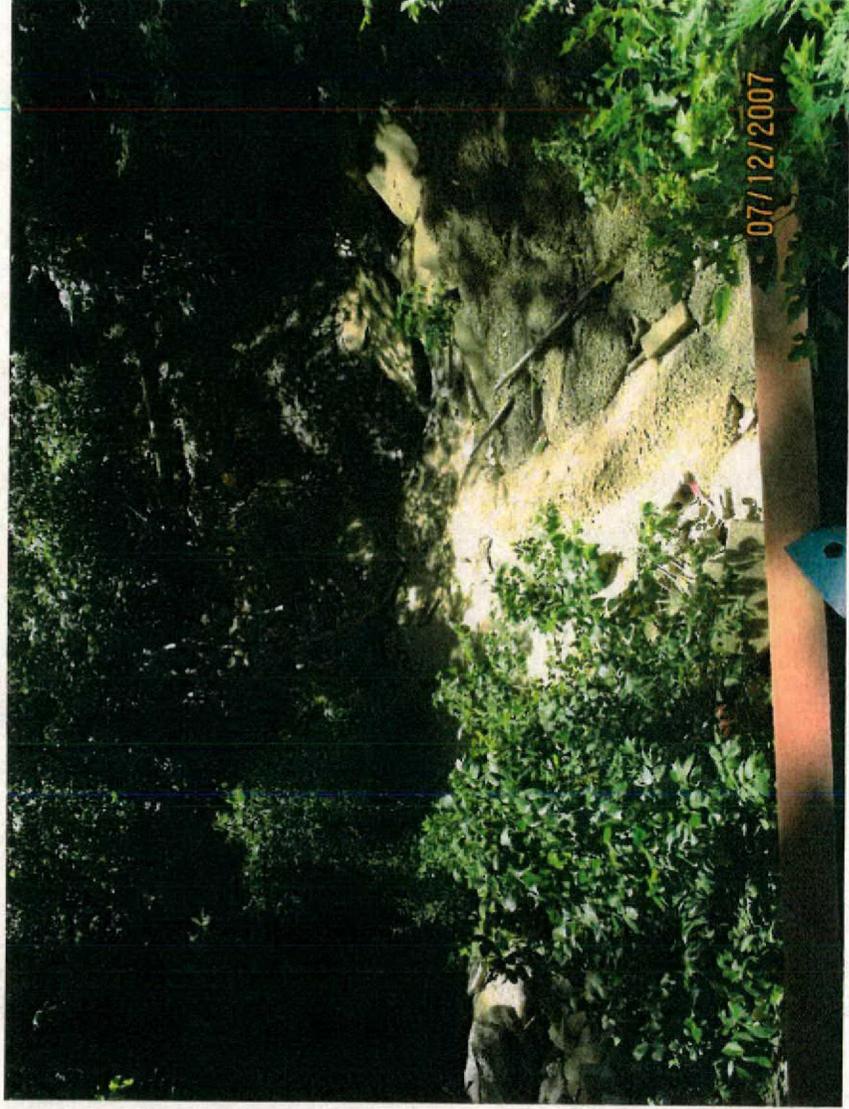
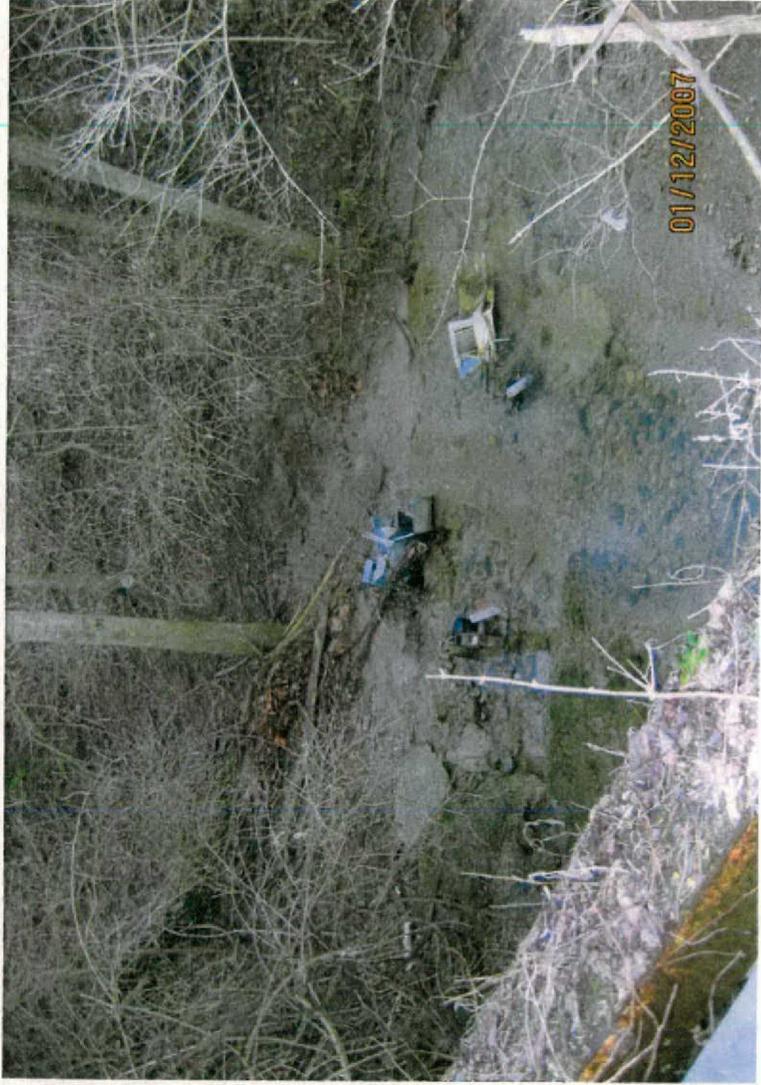
Division of Solid and Infectious Waste Management

cc: Jerry Lanich, St. Clair Township Zoning  
Brian Richard, R.S., Butler County Health Department

Enclosure: Inspection Photos from 1/12/07 & 7/12/07

ML/rif







07/12/2007

