



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

December 12, 2008

RE: NOTICE OF VIOLATION
ILLEGAL DISPOSAL OF C&DD
CARROLL COUNTY

CERTIFIED MAIL

Mr. and Mrs. Lynn Dunlap
5123 Bay Rd SE
Carrollton, Ohio 44615

Dear Mr. and Mrs. Dunlap:

Carroll County Tax Records indicate that you are the owners of a property located at 5123 Bay Rd SE (subject property) in Lee Township, Carroll County, Ohio. On November 5, 2008, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a complaint investigation at the subject property, and I observed an illegal landfill being operated on the subject property.

Upon completing my inspection, I determined that the following violation of the Ohio Administrative Code (OAC) existed at the subject property:

1. **Illegal Disposal of Construction and Demolition Debris (C&DD):** During this inspection C&DD wastes, including but not limited to roofing shingles and roofing shingle wrappers, were observed illegally disposed on this property. In order to return to compliance with all applicable laws and rules, the owner(s) of this property must immediately remove all C&DD illegally disposed on this property and properly dispose of it at a licensed C&DD or solid waste disposal facility. Receipts providing proof of disposal at a licensed C&DD or solid waste facility must be provided to Ohio EPA. The owner(s) of this property must also take all necessary measures to prevent C&DD from being illegally disposed on this property.

The illegal disposal of C&DD on this property is a violation of the following rule:

- **OAC Rule 3745-400-04(B):** *"No person shall conduct or allow illegal disposal of construction and demolition debris, as defined in rule 3745-400-01 of the Administrative Code."*

Please address the above violation immediately, and notify me, in writing, within 30 days of receiving this letter, indicating the measures which have been taken to correct this violation.

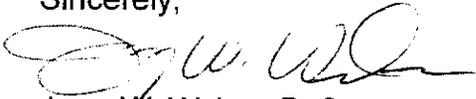
Failure to correct the above violation could result in escalated enforcement action being taken against the owner(s) of this property by Ohio EPA.

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Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner(s) of this property, or others, from responsibility under Chapters 3704., 3714., 3734., or 6111. of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please feel free to contact me at (330) 963-1274 or preferably, e-mail me at "jerry.weber@epa.state.oh.us."

Sincerely,



Jerry W. Weber, R. S.
Environmental Specialist
Division of Solid and Infectious Waste Management

JWW:cl

cc: File: [Kurko/COUN/Carroll County/GEN/10]

#2107

