



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 1, 2010

**RE: COSHOCTON COUNTY  
SITE - GENERAL**

Mr. Joe Pahoundis  
20298 Township Road 411  
Warsaw, Ohio 43844

Dear Mr. Pahoundis:

Please be advised that the Southeast District Office of the Ohio Environmental Protection Agency (EPA) received a complaint that open dumping of solid waste is occurring on property owned by you. The site is located at 20298 Township Road 411, Warsaw, Coshocton County, Ohio.

In response to the complaint, I conducted an inspection of this property on June 7, 2010. During my inspection, I observed solid waste consisting of rubber, plastic materials common to automobiles, scrap packaging and other miscellaneous solid waste mixed into the ground: where your scrap metal processing was taking place as well as other areas of the property. As discussed with you at the time of my visit, scrap metal recycling is an acceptable practice. However, those materials that are not able to be recycled should be collected and properly disposed of at an approved solid waste disposal facility.

Records at the Coshocton County Auditor's Office list you as the legal property owner. In accordance with Ohio law, as the legal property owner, you are ultimately responsible for any illegal actions that take place on your property. This could include the cleanup of the above referenced illegal dump.

Please be advised that open dumping of solid waste is a violation of ORC Chapter 3734.03 and OAC Rule 3745-27-05(C). In addition, the illegal disposal of C&DD is a violation of Chapter 3714 of the ORC and Chapter 3745-400 of the OAC. Specifically:

ORC Chapter 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC Rule 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(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.

OAC Rule 3745-400-04(D) - No person shall conduct or allow illegal disposal of construction and demolition debris.

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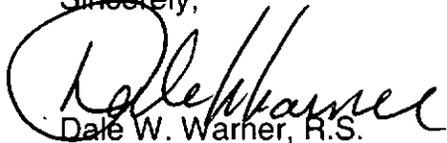
Therefore, you are currently in violation of ORC Chapter 3734.03 and OAC Rules 3745-27-05(C) and 3745-400-04(D).

In addition, open dumping of solid waste may create a nuisance and/or health hazard, and as such may be considered by the Coshocton County Board of Health to be in violation of Section 3707.01 of Ohio's Public Health Nuisance Law. Enforcement of this statute remains at their discretion.

Open dumping of solid wastes on your property should cease immediately. All solid waste not being recycled should be removed from the property and taken to a licensed disposal facility for proper disposal. Please obtain copies of receipts from the approved disposal facility that receives the waste and provide copies to this district office in order to document your compliance.

Please respond to this letter, in writing, within 15 days detailing your intentions and actions taken to comply with Ohio's solid waste regulations and laws. Should you have any questions, please contact me at (740) 380-5408.

Sincerely,



Dale W. Warner, R.S.  
Environmental Specialist II  
Division of Solid and Infectious Waste

DW/jg

cc: Coshocton County Health Department