



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 Korteski, Director

June 19, 2007

**RE: GUERNSEY COUNTY
SITE - GEN**

Mr. Dave Perry
8985 Northgate Drive
Cambridge, Ohio 43725

Dear Mr. Perry:

On June 13, 2007, I conducted a follow-up inspection at property you own along Wheeling Avenue in Cambridge, Ohio. At the time of my visit, no one was available at the site. This inspection was conducted to determine whether any action had been initiated to remove solid waste and construction & demolition debris open dumped and illegally disposed of at the site.

As you may recall, on March 20, 2007, I conducted an initial complaint investigation at the site and found construction and demolition debris (C&DD) and solid waste dumped over the hill toward the rear of the property. Evidence of open dumping of solid waste and illegal disposal of C&DD waste was observed at multiple locations along Wheeling Avenue. We later met at the site on May 3, 2007, and viewed and discussed the situation. At that time you indicated that efforts would be made to remove all illegal waste. As of this follow-up, no removal of waste had occurred. In addition, and to my concern, additional material had been dumped at this location. Although the newly dumped material appears to be clean hard fill, it was dumped on top of solid waste and construction and demolition debris material.

Based on my observation at the time of this follow-up visit, the site continues to be in violation of open dumping of solid waste and illegal disposal of C&DD waste. Open dumping of solid waste and illegal disposal of C&DD waste are violations of Ohio Administrative Code (OAC) and the Ohio Revised Code (ORC). 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.

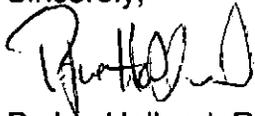
OAC Rule 3745-400-04(D) - No person shall conduct or allow illegal disposal of construction and demolition debris.

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Please respond to me, in writing, within 15 days detailing your intentions and actions taken to comply with Ohio's solid waste and C&DD regulations and laws. Failure to properly abate the violation may result in escalated enforcement action by this agency.

If you have any questions regarding this letter, please contact me at 740-380-5439.

Sincerely,



P. Joe Holland, R.S.
Environmental Specialist II
Division of Solid & Infectious Waste Management
Southeast District Office

PJH/jg

cc: Randy Shepard, Guernsey County Health Department