



State of Ohio Environmental Protection Agency

Southeast District Office

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

August 20, 2007

**RE: GUERNSEY COUNTY
SITE - GEN**

Mr. Dave Perry
8985 Northgate Drive
Cambridge, Ohio 43725

Dear Mr. Perry:

On August 16, 2007, I conducted a follow-up inspection at property you own along Wheeling Avenue in Cambridge, Ohio. 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. I was also interested in what, if any, efforts had been made to restrict site access.

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. At the time of this most recent inspection, it appeared that some solid waste and demolition debris had been removed from the site. However, some solid waste and construction & demolition debris remain at the location adjacent to the log home at the upper end of Wheeling Avenue.

While I do appreciate your efforts in removing the solid waste and construction & demolition debris, the site continues to be in violation of open dumping of solid waste and illegal disposal of C&DD waste. As I have previously indicated, 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.

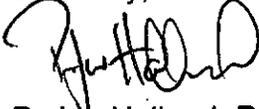
**GUERNSEY COUNTY
SITE - GEN
AUGUST 20, 2007
PAGE 2**

Although some measure of remedial action has been implemented, complete removal of all open dumped solid waste and illegally disposed of construction & demolition debris must be accomplished for compliance. In addition, restricting access to the area and grading the clean hard fill at the site should help control future illegal activity.

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
Kim Conrath, Code Enforcement Officer, 1131 Steubenville Ave., Cambridge