



State of Ohio Environmental Protection Agency

**Southeast District Office**

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Logan, Ohio 43138

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

September 23, 2008

**RE: GUERNSEY COUNTY  
SITE - GEN**

Mr. R.M. Grudier  
11032 Seneca Lane  
Byesville, Ohio 43723

Dear Mr. Grudier:

On August 13, 2008, I met with you at your property to view and discuss an open dump at the site. During our discussion, I explained that the open dump was illegal and needed to be properly cleaned up. You agreed to address the problem and remove all solid waste and construction & demolition debris material within thirty days. On August 26, 2008, I sent you a letter documented our discussion and agreement.

On September 17, 2008, I conducted a follow-up inspection at the site. It appeared very little or no waste had been removed from the property. At the time of this follow-up, I spoke with a woman at your home and explained the reason for my visit.

As previously stated, open dumping and open burning of solid waste and/or C&DD material is illegal pursuant to the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC).

Specifically:

ORC Section 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 responsible for the open dumping, the owner of the property, or the person who allows 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 3745-400-04(B) - No person shall conduct or allow illegal disposal of construction and demolition debris.

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Pursuant to these codes, all solid waste and C&DD waste must be removed and disposed of at a licensed facility approved to take such material. You indicated that all illegal material would be removed from the location and disposed of in a licensed facility and that copies of receipts would be retained for all material removed from the site. Based on the fact that no action has been initiated within the thirty days, you must remove all material no later than October 1, 2008. Clean hard fill may be left in place and covered to change grade at the site. I would like to view the area prior to placement of soil or fill over any remaining material.

Should you have questions concerning this letter or other solid waste issues, please contact me at (740) 380-5439.

Sincerely,



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

PJH/jg