



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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

August 11, 2009

**RE: GUERNSEY COUNTY
SITE - GEN**

Mr. Tom Lehotay
Lehotay Trucking & Excavating
61885 High Hill Road
Cambridge, Ohio 43725

Dear Mr. Lehotay:

On August 4, 2009, I was traveling on High Hill Road and observed a dump truck backing into an area surrounded by construction and demolition debris, solid waste and concrete. When I pulled in to investigate the site, your son got out of the truck and we spoke about the dumping activity. He indicated that your company was demolishing a garage and foundation somewhere near Senecaville and bringing the material to this site and dumping it into a ravine area.

Please be advised that 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.

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. Open dumping of any solid waste and/or construction & demolition debris must cease immediately. Please retain receipts from the facility where the waste is taken as evidence of proper disposal. Any further evidence of open dumping or open burning may result in escalated enforcement and possible penalties.

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

Sincerely,

A handwritten signature in black ink, appearing to read "P. Joe Holland". The signature is written in a cursive style with a large initial "P" and "H".

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

PJH/jg