



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

June 10, 2011

RE: **GUERNSEY COUNTY
SITE - GEN**

Larry Kotoff
67817 Old 21 Road
Cambridge, Ohio 43725

Dear Mr. Kotoff:

On June 1, 2011, this office received a complaint alleging that open dumping of solid waste and illegal disposal of construction & demolition debris was occurring at property you own and located at the above address. The complaint alleged that you were bringing miscellaneous solid waste, demolition debris and hard fill.

I observed you were widening your driveway with fill by approximately 30 ft. by 300 ft. The fill consisted mainly of clean hard fill (brick, block, concrete) and soil; however, a few of the piles were mainly construction & demolition debris (boards, metal, insulation, shingles, etc.) and construction & demolition debris was scattered though out the rest of the fill area. During this visit, I spoke with you and advised you that the construction & demolition debris would need to be removed, and you agreed to do so.

After my visit to your home, I spoke with the foreman at Kendrick Excavating who is demolishing the building at the state hospital and who sent the material to your property. I advised him it was illegal to dispose of construction & demolition debris at your property and he agreed to remove the illegal waste. Please call me once this is complete and before it is covered so I may observe if the construction & demolition debris has been removed. I have included information regarding what is defined as clean hard fill. Any material meeting this definition and the soil may be left in place as it is considered to be legitimate fill material.

Please be advised, open dumping or illegal disposal of construction & demolition debris is in violation 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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All solid waste and construction & demolition debris must be removed from the site and taken to a licensed facility for proper disposal. Should you have questions concerning this letter, please contact me at (740) 380-5420.

Sincerely,



Brian Queen, R.S.
Environmental Specialist
Division of Materials and Waste Management

BQ/jg

cc: Randy Shepard, Guernsey County Health Department
Adam Kendrick, Kendrick Excavating, 3765 New Riley Road, Dresden, Ohio 43821