



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 Korleski, Director

August 31, 2009

**RE: -HARRISON COUNTY
SITE - GENERAL**

Village of Jewett
Attn: Mayor Dwight Busby
PO Box 192
110 W. Main Street
Jewett, Ohio 43986

Dear Mayor Busby:

Please be advised that the Southeast District Office of the Ohio Environmental Protection Agency (EPA) received a complaint that open dumping of solid waste is occurring on property owned by the Village of Jewett, Ohio. The dump site is located on Hanover Ridge Road, Harrison County, Ohio.

In response to a complaint received by the SEDO of the Ohio EPA, I conducted an inspection of the dump site on August 10, 2009. After my investigation of the complaint, I met with you to discuss the situation. At the time of my inspection, I observed solid waste consisting of scrap tires, solid waste (including street dirt) and construction and demolition debris. The disposal of these materials and at any location other than an approved solid waste disposal facility is considered open dumping and is prohibited by Ohio Law.

Please be advised that open dumping of solid waste is a violation of ORC Chapter 3734.03 and OAC Rule 3745-27-05(C). In addition, the illegal disposal of C&DD is a violation of Chapter 3714 of the ORC and Chapter 3745-400 of the OAC. 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.

Harrison County
August 31, 2009
Page 2

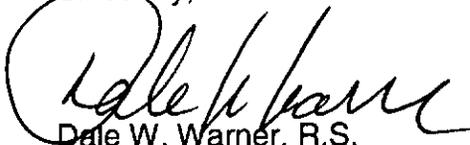
Therefore, you are currently in violation of ORC Chapter 3734.03 and OAC Rules 3745-27-05(C) and 3745-400-04(D).

In addition, open dumping of solid waste may create a nuisance and/or health hazard, and as such may be considered by the Harrison County Board of Health to be in violation of Section 3707.01 of Ohio's Public Health Nuisance Law. Enforcement of this statute remains at their discretion.

Open dumping of solid waste and construction and demolition debris should cease. All solid waste and construction and demolition debris should be removed from the property and taken to a licensed disposal facility for proper disposal. Please obtain copies of receipts from the approved disposal facility that receives the waste and provide copies to this District Office in order to document your compliance.

Please respond to this letter, in writing, within 15 days detailing your intentions and actions taken to comply with Ohio's solid waste regulations and laws. Should you have any questions, please contact me at (740) 380-5435.

Sincerely,



Dale W. Warner, R.S.
Environmental Specialist II
Division of Solid and Infectious Waste

DW/cb

cc: Harrison County Health Department