

**Environmental  
Protection Agency**

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

March 29, 2011

**RE: HOCKING COUNTY  
'SITE - GEN'**

Mr. Ed Blackston  
27410 State Route 180  
Rockbridge, OH 43149

Dear Mr. Blackston:

On March 16, 2011, Wendy Hanna of the Hocking County Health Department and I conducted a complaint investigation at your property located at the above address. The complaint was filed based on concerns that scrap tires and other miscellaneous solid waste, construction & demolition debris and used oil were being open dumped and/or illegally disposed of at the site. At the time of our investigation, we spoke with Irvin Blackston.

During a follow-up visit on March 21, 2011, I was accompanied by Donna Goodman of Ohio EPA Division of Hazardous Waste Management (DHWM). At the time of that visit, you were at the site. Ms. Goodman and I inspected the property and discussed our findings with you at that time. I also indicated that I would be forwarding you a letter regarding our visit.

At the time of both visits, it was noted that approximately 400 scrap tires are randomly strewn about the property on both sides of State Route 180. It was also noted that a considerable amount of solid waste was present on the property. Please be advised that scrap tires are defined as solid waste in accordance with Ohio Administrative Code (OAC) 3745-27-01.

Based on my observations, the site is in violation of open dumping of solid waste in accordance with Chapter 3734 of the Ohio Revised Code (ORC) and Chapters 3745-27 of the Ohio Administrative Code (OAC). Specifically:

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC 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.

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The scrap tires are also in violation of OAC Rule 3745-27-60(B) and are a nuisance, a hazard to public health or safety, and a fire hazard.

All scrap tires and other miscellaneous solid waste must be removed from the property and disposed of or recycled at an approved facility.

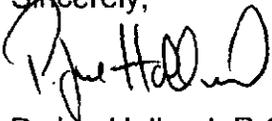
During the investigation, we also observed a 5-gallon container of used oil and a gallon, partially filled, of windshield wiper fluid located in the field across the road from the house. Please immediately recycle the used oil by taking it to Auto Zone, which will recycle it at no cost to you. During the investigation, you stated that you could use the wiper fluid for its original intended purpose, which, as we discussed, is acceptable.

Near the house and barn, two containers of lubricant grease, two spent automotive batteries, and a partial 5-gallon blue and white steel container of what appears to be kerosene were observed. As we discussed, the batteries should be placed under roof in your shed until such time as they are sent offsite for recycling. Regarding the kerosene and grease, these items should be used for their original intended purpose. Please note that if you do not plan to use the kerosene and grease, the grease must be sent offsite for recycling as a used oil, and the kerosene will require disposal off-site as a hazardous waste at a permitted hazardous waste treatment, storage or disposal facility.

If you would like more information on this last option, please contact Donna Goodman at the Division of Hazardous Waste Management at 740-380-5293.

Please contact me within fifteen days of receipt of this letter, at 740-380-5439, as to your intentions to correct these violations.

Sincerely,



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

PJH/jg

cc: Donna Goodman, DHWM, SEDO  
Wendy Hanna, Hocking County Health District