



State of Ohio Environmental Protection Agency

Southeast District Office

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

September 17, 2007

**RE: JACKSON COUNTY
SITE - GEN**

Vickie McWilliams
4104 Mulga Road
Wellston, Ohio 45601

Dear Ms. McWilliams:

On August 29, 2007, I conducted an investigation of a complaint received in this office. I was accompanied by Jim Beckner, Enforcement Coordinator for the Gallia-Jackson-Meigs-Vinton Solid Waste Management District (GJMV-SWMD). The complaint was regarding the illegal disposal and burning of construction & demolition debris (C&DD) on property you own located at the above address in Jackson County. The complainant alleged that C&DD was being hauled to the property, then dumped and partially burned, then buried at the site. According to the complainant, the hauling and dumping were being conducted by Pat Hill, a local excavating contractor. The complainant stated that the most recent house to be dumped at this location was owned by Jay Blankenship on Glade Run Road.

At the site, I observed several piles of C&DD that appeared to have been recently dumped. The material was composed primarily of concrete blocks, lumber, and some scrap metal. The areas adjacent to the piles were covered with the residual from multiple burnings of lumber. Some scrap metal was piled to the side of the burnt area. The area behind the burnt piles appeared to have been filled with primarily clean hard fill material.

Please be advised that open burning and dumping of C&DD is considered illegal disposal of C&DD. Illegal disposal of C&DD is a violation of the Ohio Administrative Code (OAC) Specifically:

OAC Rule 3745-400-04(D) - No person shall conduct or allow illegal disposal of construction and demolition debris.

Therefore, you are currently in violation of OAC Rule 3745-400-04(D).

I spoke with you during my visit. You confirmed that the material had been dumped at the site by Mr. Pat Hill. You also confirmed that you had been removing the metal and recycling it, and removing the wood and burning it. I informed you that it was illegal to burn any of the C&DD material. I told you that only materials considered clean hard fill (specifically: concrete, asphalt, brick, block, tire or stone) or dirt could be brought to your property for fill material. I also told you

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that the burning and dumping of C&DD was considered illegal disposal of C&DD. You stated that you were unaware of this and would not burn any more C&DD material. You stated you would sort through the remaining piles, remove the C&DD from the clean hard fill and take it to the landfill for proper disposal.

The illegal disposal of C&DD on your Mulga Road property should cease immediately. All C&DD 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 me, in writing, within 30 days detailing your intentions and actions taken to comply with Ohio's C&DD regulations and laws.

If you have any questions regarding this letter, please contact me at 740-380-5438.

Sincerely,



Daniel L. Bergert, R.S.
Environmental Specialist II
Division of Solid & Infectious Waste Management
Southeast District Office

DLB/cb

cc: Jackson County Health Department
cc: Jim Beckner, GJMV-SWMD