



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6480
www.epa.state.oh.us

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

January 5, 2010

**RE: JEFFERSON COUNTY
SITE-GEN**

Aquinas Central Catholic
625 Lovers Lane
Steubenville, Ohio 43953

Attn.: Mr. Rich Wilinki- Principal

Dear Mr. Wilinki:

On December 15, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Southeast District Office, received a complaint that illegal dumping of construction demolition debris was being conducted on property owned by Aquinas Central Catholic.

On December 18, 2009, I called to discuss Ohio EPA's findings that resulted from an on-site investigation on December 15, 2009, regarding the alleged violations of Ohio's Construction and Demolition debris regulations.

At the time of our discussion, I explained that I had met with Mr. Tim Champman of Champman Excavating and observed construction and demolition debris being disposed that did not meet the definition of clean hard fill on property owned by Central Catholic. As discussed with you at the time of my call, Ohio Administrative Code (OAC) Rule 3745-400-05 allows for the use of only clean hard fill consisting of clean reinforced concrete, unreinforced concrete, asphalt, brick, block or tile only. The material being placed did not meet the requirements of the aforementioned regulation and since Central Catholic allowed for the disposal of this material Central Catholic is in accordance to Ohio law in violation of the following regulation.

As discussed with you at the time of my call, Central Catholic is in violation of the following OAC regulation:

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

All illegally deposited of construction and demolition debris must be removed from the dumpsite and disposed of at a licensed facility. Please require your contractor to provide receipts to this office within 15 days of receiving this notice establishing that compliance has been achieved. An on-site inspection will be conducted to verify compliance with Ohio's construction and demolitions debris regulations.

JEFFERSON COUNTY
SITE-GEN
JANUARY 5, 2010
PAGE 2

Please also be aware that OAC 3745-400-05(C) requires a notice of intent to fill be submitted at least seven days prior to the placement of any clean hard fill. The notice of intent to fill must be submitted with all the information required by OAC 3745-400-05(C) and for each demolition project. Clean hard fill may only be utilized as allowed by OAC 3745-400-05(A). Please ensure that a notice of intent to fill is submitted to Ohio EPA at least seven days prior to any filling in the future.

If you have any question or I can be of any assistance, please feel free to contact me at (740) 380-5435.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale Warner". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

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

DWW/jg