



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 Korfeski, Director

May 7, 2009

**RE: LAWRENCE COUNTY
SITE - GENERAL
30000885**

Mr. Howard Dickess
701 Latonia Street
Ironton, Ohio 45638

Dear Mr. Dickess:

The Southeast District Office of the Ohio EPA received a complaint that illegal disposal of demolition debris is occurring on your property located off 2nd Street, on the banks of the Ohio River in Hanging Rock, Lawrence County, Ohio.

I conducted an inspection of the property on May 6, 2009. I observed demolition debris illegally disposed on the banks of the Ohio River. The demolition debris included plywood and wood studs. Some of the debris was in the Ohio River due to recent flooding.

Illegal disposal of demolition debris is a violation of Chapter 3714 of the Ohio Revised Code (ORC) and Chapter 3745-400 of the Ohio Administrative Code (OAC).

Specifically:

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

ORC 6111.04(A)(1) - No person shall cause pollution or place or cause to be placed any sewage, sludge, sludge materials, industrial waste, or other wastes in a location where they cause pollution of any waters of the state.

Illegal disposal of demolition debris must cease immediately. All demolition debris disposed at the described location must be removed from the property and taken to a licensed demolition debris or solid waste disposal facility. Obtain copies of receipts from the landfill or recycling facility that received the waste and provide those copies to this district office in order to document your compliance. Please respond to this district office within ten days of receipt of this letter to inform me of your intentions and actions regarding the open dumping and burning.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in ORC Chapter 3734 and the rules promulgated there under, does not relieve the owner of his obligation to comply with other applicable State and Federal laws and regulations.

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Should you have questions, please contact me at (740) 380-5246.

Sincerely,



Clint Shuff, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

CAS/jg

cc: Lawrence County Health Department
cc: Dan Palmer, Lawrence and Scioto County Solid Waste Management District