



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

July 31, 2008

**RE: LAWRENCE COUNTY
SITE - GENERAL
30000415**

Mr. Ronald Westmoreland
2279 County Road 120
South Point, Ohio 45680

Dear Mr. Westmoreland:

The Southeast District Office of the Ohio EPA received a complaint that open dumping of solid waste and demolition debris is occurring on property located off of County Road 120, Burlington Macedonia Road in Lawrence County, Ohio.

I conducted an inspection of the property on July 29, 2008, and observed demolition debris and solid wastes dumped on a vacant property. It appears that a residence may have been located at this property and may have burnt. Property records obtained at the Lawrence County Court House indicate that you own this property. As the property owner, you are responsible for the wastes and demolition debris on your property.

Open dumping of solid waste and illegal disposal of demolition debris is a violation of Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 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 responsible for the open dumping, the owner of the property, or the person who allows 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 3745-400-04(B) - No person shall conduct or allow illegal disposal of construction and demolition debris.

Open dumping of solid waste and demolition debris must cease immediately. All solid wastes and demolition debris disposed at the described location must be removed from the property and taken to a licensed solid waste disposal facility or recycled. 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 fifteen days of receipt of this letter to inform me of your intentions and actions regarding the open dump.

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

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