



State of Ohio Environmental Protection Agency

Southeast District Office

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

March 11, 2008

**RE: LAWRENCE COUNTY
SITE - GENERAL**

Solid Rock Construction
1350 Galena Pike
West Portsmouth, Ohio 45663

Dear Mr. Whitaker:

I conducted an inspection of the South Point High School demolition project on March 6, 2008. I met with Kylie White and Brian, supervisor of the demolition project on this inspection. The purpose of the inspection was to verify that only "clean hard fill" is being placed in the excavated area behind the First Southern Baptist Church on Collins Drive in South Point, Ohio.

The material that was observed by me on the March 6, 2008, inspection contained "clean hard fill" and demolition debris in the form of metal and styrofoam. I spoke with Brian, supervisor this day. He stated that he would have the metal and Styrofoam removed and properly recycled or disposed.

Ohio Administrative Code OAC, Rule, 3745-400-01(E), "Clean hard fill" means construction and demolition debris which consists only of reinforced or non-reinforced concrete, asphalt concrete, brick, block, tile and/or stone which can be reutilized as construction material. Brick in clean hard fill includes but is not limited to refractory brick and mortar. Clean hard fill does not include materials contaminated with hazardous wastes, solid wastes, or infectious wastes.

OAC Rule, 3745-400-05(A)(3), "states in part" clean hard fill can be used in legitimate fill operations for construction purposes or to bring the site up to a consistent grade, on the site of generation.

Solid Rock Construction is in violation of the following:

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

The metal and styrofoam must be removed from the disposal area and recycled or disposed of at a licensed facility. I am requesting that you contact me within 10 days of receipt of this letter to inform me of your actions taken.

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: Louis Boerger, Portsmouth Local Air Authority