



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

October 22, 2007

**RE: LAWRENCE COUNTY
SITE - GEN
20070497**

Ms. Dixie Simms
6232 State Route 93
Ironton, Ohio 45638

Dear Ms. Simms:

The Southeast District Office of the Ohio EPA received a complaint that open dumping and open burning of solid waste is occurring on your property located off of State Route 93 in Lawrence County, Ohio.

I conducted an investigation of the site on October 17, 2007. During this inspection, I observed solid wastes dumped and burned on the ground. I observed a burn pit where you are burning the solid wastes. No one was home on this inspection.

Open dumping and open burning of solid waste 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.

Open dumping and open burning of solid waste must cease immediately. All solid wastes 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 15 days of receipt of this letter to inform me of your intentions and actions regarding the open dump. I suggest that you obtain the services of a registered waste hauler.

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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
cc: Cindy Charles, Portsmouth Local Air Authority