OhioEPA

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

March 26, 2007

RE: LAWRENCE COUNTY
SITE - GEN
20070085

Ms. Donna Fuller
243 County Road 12
Proctorville, Ohio 45669

Dear Ms. Fuller:

The Southeast District Office of Ohio EPA received a complaint that open dumping of solid waste is occurring on property off of County Road 12, in Lawrence County, Ohio.

I conducted an inspection of the property on March 21, 2007. I observed solid wastes and demolition debris dumped behind your residence over the hill and towards the creek. I met with you on this day to discuss the issue. You stated that you would quit open dumping and remove the wastes and debris.

Open dumping 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 Section 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.
>
> OAC Rule 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 for proper disposal. Obtain copies of receipts from the landfill 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 taken to achieve compliance. I suggest that you obtain the services of a registered waste hauler to assist you in your waste management.

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