



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 Korteski, Director

March 1, 2007

**RE: LAWRENCE COUNTY  
SITE - GENERAL  
20070049**

Mr. and Mrs. Jesse Fulton  
2551 County Road 66  
Proctorville, Ohio 45669

Dear Mr. and Mrs. Fulton:

The Southeast District Office of the Ohio EPA received a complaint that open dumping and open burning of solid waste is occurring on property located off of County Road 66, Wolf Creek Road, Lawrence County, Ohio.

I conducted an inspection of the property on February 28, 2007, and observed solid wastes dumped and burned on the banks of Wolf Creek and wastes were observed in Wolf Creek. As the property owner, you are responsible for the wastes dumped and burned on your property.

Open dumping and 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.

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.

Open dumping and 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 fifteen 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 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.

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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  
cc: Phil Thompson, Portsmouth Local Air Authority