



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

June 27, 2007

RE: LAWRENCE COUNTY
SITE- BONZO FILE

Earnest and Mildred Bonzo
2201 Ashland Road
Greenup, Kentucky 41144

Dear Mr. and Mrs. Bonzo:

On June 19, 2007, I conducted an inspection of your property, parcel # 25-064-1300.000, located adjacent to Shirkey Street, in Proctorville, Lawrence County, Ohio. The property is adjacent to Little Paddy Creek, a tributary to the Ohio River. The purpose of my inspection was to determine compliance with the Directors Orders issued to you dated October 23, 2006.

I have the following comments concerning my inspection:

Order # 1, within ninety (90) days after the effective date of these Orders, Respondents shall delineate the depth and lateral extent of waste disposal on the Shirkey Road parcel (number 25-064-1300.000) in Lawrence County, Ohio. Respondents shall use wooden stakes placed at a minimum of 50 foot intervals to delineate the lateral extent of waste disposal.

On this inspection I did not see nor have I received information from you where you have delineated the depth and lateral extent of waste. You are in violation of Order #1.

Order # 3, within hundred and eighty (180) days after the effective date of these Orders, Respondents shall excavate, transport, and dispose all of the existing solid waste and construction and demolition debris unlawfully disposed of at the Shirkey Road parcel to a licensed solid waste landfill or transfer station.

The waste and debris located at the parcel has not been excavated, transported and disposed of at a licensed facility. You are in violation of Order #3.

Open dumping of solid waste and illegal disposal of demolition debris is a violation of Chapter 3734 and 3714 of the Ohio Revised Code (ORC) and Chapter 3745-27 and 3745-400 of the Ohio Administrative Code (OAC).

Specifically:

ORC 3734.11(A) - No person shall violate any section of this Chapter, any rule adopted under it, or any order issued under section 3734.13 of the Revised Code.

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

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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.

All wastes and demolition debris illegally disposed on your property must be removed, and taken to a licensed solid waste disposal facility. In order to verify your compliance, you will need to provide Ohio EPA with copies of disposal receipts from a licensed solid waste disposal facility that indicate the weight and/or volume of the waste disposed. Please respond to me within 10 days of receipt of this letter to inform me of your intentions and actions taken concerning this issue. Until all of the wastes are removed from your property, violations of Ohio's solid waste and construction and demolition debris laws and rules will continue to accrue.

Compliance with the requirements outlined in this letter, or the solid and infectious waste and construction and demolition debris provisions contained in ORC Chapter 3734 and 3714 and the rules promulgated there under, does not relieve the owner/operator of his/her obligation to comply with other applicable State and Federal laws and regulations.

Should you have questions, please contact me at this office at 740-380-5246.

Sincerely,



Clint Shuff, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

CAS/cb

cc: Lawrence County Health Department
cc: Dan Palmer, Lawrence and Scioto County Solid Waste Management District
cc: Bruce McCoy, DSIWM, CO
cc: Marty Cooper, OEPA, Legal