



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

September 10, 2007

**RE: LAWRENCE COUNTY  
SITE - GENERAL  
20070418**

Mr. Terry Collins  
1261 Township Road 138  
Ironton, Ohio 45638

Dear Mr. Collins:

The Southeast District Office of the Ohio EPA has received a complaint that open dumping of solid waste and demolition debris is occurring on property off of Township Road 138, in Lawrence County, Ohio. In addition, it has been reported that you are dumping used motor oil on the road in front of your house to suppress the dust.

I conducted an inspection of the property on September 5, 2007, and observed solid wastes and demolition debris dumped beside a creek. I also observed oil stains in the road in front of your house. I met with you on this day to discuss the issues. You stated that you did dump oil on the road to suppress the dust and I did observe an area where you had disposed of some drywall on the creek bank and had burnt some solid waste.

Open dumping of solid waste and demolition debris is a violation of Chapter 3734, and 3714 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© - 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.

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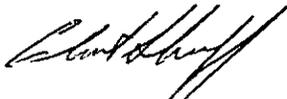
Applying used oil to public roads as a dust control measure is prohibited in Ohio by Ohio Administrative Code rule 3745-279-82. Continued application of used oil can lead to surface water and ground water contamination, leading to violations of Ohio's water protection laws. For these reasons, used oil should not be applied as a dust control measure.

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 regarding the open dump.

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: Scott Bergreen, SEDO, DHWM