



State of Ohio Environmental Protection Agency

Southeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korteski, Director

April 5, 2007

**RE: MEIGS COUNTY
HD - GEN**

Mr. Keith Little, R.S.
Director of Environmental Health
Meigs County Health Department
P.O. Box 631 Mulberry Heights
Pomeroy, Ohio 45769

Dear Mr. Little:

On March 29, 2007, I accompanied you on a complaint investigation on Scipio Township Road 683 near Pageville in Meigs County. The complaint alleged that a business by the name of Phillips Drywall has been dumping scrap drywall and other miscellaneous waste next to the road and periodically spreading the waste over a large area on the north side of the road. Following is a summary of our findings and my recommendations regarding the investigation.

At the time of our investigation, it was obvious that open dumping of solid waste and illegal disposal of construction & demolition debris had been on-going for many years. Recently, dumped drywall was observed along the north side of the township road and an area encompassing approximately one half acre was observed to contain drywall and other waste. At the far north end of the dump area it appeared the waste extended to a depth of 25 feet or more. The depth of waste near the road was significantly less based on the topography of the area. In addition to the drywall waste, dozens of 5 gallon buckets were observed along with some miscellaneous solid waste.

As you are aware, open dumping of solid waste and illegal disposal of C&DD are violations of Ohio Administrative Code (OAC) and the Ohio Revised Code (ORC). Specifically:

ORC Chapter 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(s) responsible for the open dumping, the owner of the property, or the person(s) who allow 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 Rule 3745-400-04(D) - No person shall conduct or allow illegal disposal of construction and demolition debris.

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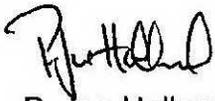
Therefore, the site is currently in violation of ORC Chapter 3734.03 and OAC Rules 3745-27-05(C) and 3745-400-04(D).

This office recommends that orders be issued to the property owner and violator to immediately cease open dumping of solid wastes and the illegal disposal of C&DD. In addition, all solid waste and C&DD must be removed from the property and taken to a licensed disposal facility for proper disposal. The health department should ask the property owner to obtain copies of receipts from the approved disposal facility that receives the waste and provide copies to the department showing proper disposal.

It is further recommended that the property owner be asked to respond in writing, within 15 days, detailing their intentions and actions taken to comply with Ohio's solid waste and C&DD regulations and laws.

Should you have any questions regarding this letter, please contact me at your convenience.

Sincerely,



P. Joe Holland, R.S.
Environmental Specialist II
Division of Solid and Infectious Waste Management
Southeast District Office

PJH/jg