



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

June 16, 2011

**RE: MUSKINGUM COUNTY  
SITE - GENERAL**

Mr. Joseph Bauer  
7660 Ridge Road  
Zanesville, Ohio 43701

Dear Mr. Bauer:

On April 5, 2011, the Ohio Environmental Protection Agency received a complaint concerning property owned by you at 7660 Ridge Road in Muskingum County. This complaint alleged the open dumping of solid waste into a pit on this property. On April 14, 2011, I investigated this complaint and found it appears to be valid. I observed a pit, partially covered with soil, which appeared to contain an undetermined amount of solid waste. This pit is located along the northern edge of the parcel, near Interstate 70.

In late April 2011, you contacted me by phone and stated your intentions to remove the waste once the weather improved and the site dried out. The weather of the past few weeks has been favorable to removing this waste. On June 15, 2011, I revisited the site and found conditions remained unchanged.

Please note that the above noted dumping is in violation of Ohio Revised Code (ORC) chapter 3734.03 and Ohio Administrative Code (OAC) 3745-27-05(C).

ORC 3734.03 states in part:

*No person shall dispose of solid wastes by open dumping or open burning. . .*

OAC 3745-27-05(C) states:

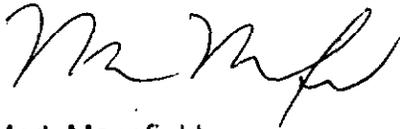
*No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person(s) responsible for the open dumping, the owner of the property, or the person(s) who allow or allowed open dumping to occur, shall promptly remove and dispose 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.*

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Please respond to this correspondence within 14 days of receipt. Your response should include details of your actions taken to properly dispose or recycle the current waste on your property. Please include copies of any receipts documenting the proper disposal of the noted solid waste.

If you have any questions, please feel free to contact me at this office. You can reach me either by mail or by calling me at (740) 380-5428.

Sincerely,



Mark Mansfield  
Environmental Specialist II  
Division of Materials and Waste Management

MM/cb