

MUSK. CO.
Site - GEN.



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
Laura H. Powell, Acting Director

January 23, 2007

**RE: MUSKINGUM COUNTY
SITE - DUNWOODY DUMP**

Mr. Carl Dunwoody
3740 Cannelville Road
Roseville, Ohio 43777

Dear Mr. Dunwoody:

Please be advised that the Southeast District Office of the Ohio Environmental Protection Agency (EPA) received a complaint that open dumping of solid waste and the illegal disposal of construction and demolition debris (C&DD) is occurring on property owned by you. The illegal dump site is located at 3740 Cannelville Road, Muskingum County, Ohio.

In response to the complaint, I conducted an inspection of your property on January 4, 2007. During my inspection, it appeared that mobile homes are being demolished on this property. I observed miscellaneous demolition debris scattered around the property. Please be advised that demolition debris must be properly disposed of at a licensed construction and demolition debris (C&DD) disposal facility or a licensed solid waste disposal facility.

Please be advised that the illegal disposal of C&DD is a violation of Chapter 3714 of the ORC and Chapter 3745-400 of the OAC. Specifically:

OAC Rule 3745-400-04(D) - No person shall conduct or allow illegal disposal of construction and demolition debris.

Records at the Muskingum County Court House in Zanesville, list you as the legal property owner. In accordance with Ohio law, as the legal property owner, you are ultimately responsible for any illegal actions that take place on your property. This could include the cleanup of the above referenced illegal dump. Therefore, you are currently in violation of OAC Rule 3745-400-04(D).

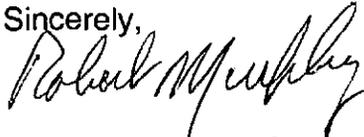
You are also in violation of ORC 3767.13(B) which states that no person shall cause or allow offal, filth, or noisome substances to be collected or remain in any place to the damage or prejudice of others or of the public.

The illegal disposal of C&DD on your Cannelville Road property should cease immediately. All C&DD should be removed from the property and taken to a licensed disposal facility for proper disposal. Please obtain copies of receipts from the approved disposal facility that receives the waste and provide copies to Ohio EPA's Southeast District Office in order to document your compliance.

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Please respond to this letter, in writing, within 15 days detailing your intentions and actions taken to comply with Ohio EPA's C&DD regulations and laws. Should you have any questions, please contact me at (740) 380-5408.

Sincerely,



Robert Murphy, R.S.
Environmental Specialist II
Division of Solid and Infectious Waste Management
Ohio Environmental Protection Agency
Southeast District

RM/jg

cc: Muskingum County Health Department