



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 8, 2008

**MUSKINGUM COUNTY
FAC - GHS C&DD LANDFILL**

Ms. Marilyn Gussler
1961 Dresden Road
Zanesville, Ohio 43701

Dear Ms. Gussler:

As you recall, I previously informed you that because you are the owner of property on which a portion of the GHS C&DD Landfill was constructed, you are now responsible for compliance with the facility final closure regulations. Ohio EPA has received the final closure certification report required by Ohio Administrative Code (OAC) Rule 3745-400-08(D), from R.D. Zande & Associates. However, Ohio EPA's Southeast District Office is currently unable to complete its review of the final closure certification report because I am still waiting on you to provide certain documentation, as required by the Ohio Administrative Code.

The information Ohio EPA is again requesting from you includes the following:

- 1. Ohio Administrative Code (OAC) Rule 3745-400-12(E)(7) states that the owner or operator shall file with the appropriate County Recorder a plat of the facility and information describing the acreage, exact location, depth, volume and nature of the placed debris.**

To date, the Ohio EPA has not received documentation that the information required by this rule has been properly filed. Therefore, you are currently in violation of OAC Rule 3745-400-12(E)(7).

- 2. OAC Rule 3745-400-12(E)(8) states that the owner or operator shall record a notation on the deed to the facility property or on another instrument which is examined during title search, alerting in perpetuity any potential purchaser of the property that the land has been used as a construction and demolition debris facility. The notation shall include information describing the acreage, exact location, depth, volume and nature of the placed debris.**

To date, the Ohio EPA has not received documentation that the information required by this rule has been properly recorded. Therefore, you are currently in violation of OAC Rule 3745-400-12(E)(8).

Please be advised that the above cited violations will continue to accrue daily until such time as your property is in substantial compliance with Ohio's C&DD regulations and law.

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Please respond to me in writing within (15) days and detail your intentions and the actions taken to address the above cited violations. If you have any questions, please don't hesitate to 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 Office

RM/jg

cc: Muskingum County Health Commissioner
Mark Mansfield, SEDO-DSIWM
Sally Tompkinn, Town & Country Reality