



**Environmental
Protection Agency**

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

August 4, 2011

**RE: NOBLE COUNTY
SITE-GEN**

Mr. Kirk Moore
113 South Washington Street
Peebles, Ohio 45660-1432

Dear Mr. Moore:

Ohio EPA has received a complaint of illegally dumped shingles and other waste at your property on State Route 821 in Noble County. I conducted an inspection of this location on August 4, 2011. During this inspection, I observed a pile of shingles and other waste materials that have been present since Ohio EPA initially received this complaint in November 2010. I also observed evidence of open burning.

Disposal of this material on your property is a violation of Ohio's open dumping and open burning law. Specifically:

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC 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 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 Rule 3745-400-04(B) - No person shall conduct or allow illegal disposal of construction and demolition debris, as defined in rule 3745-400-01 of the Administrative Code.

Past attempts by Ohio EPA and the Noble County Health Department to contact you, beginning in November 2010, have received no response from you. Failure to properly abate the violations at this location will result in escalated enforcement by the State of Ohio.

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All material must be removed from your property for proper disposal. You should retain copies of receipts documenting proper disposal. Failure to return this property to compliance could result in escalated enforcement action by either the State of Ohio or the Noble County Health Department.

Please contact me at 740/380-5219 to discuss your plans to abate the violations that exist at your property.

Sincerely,



Peter C. Thompson
Division Materials and Waste Management

PCT/jg

cc: Noble County Health Department