



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

May 1, 2008

**RE: ROSS COUNTY
SITE - GEN**

Mr. Everett Cox
4648 Upper Twin Road
South Salem, Ohio 45681

Dear Mr. Cox:

On April 16, 2008, I accompanied Lana Cherrington, R.S. from the Ross County Health District during a follow-up investigation of a complaint received by the health district regarding open dumping of solid waste on property you own located at the above address in Ross County. The complainant alleged that solid waste was being brought to the property and being dumped, burned and buried. At the site, I observed a significant quantity of solid waste dumped and strewn about the property.

Please be advised that open dumping or open burning of solid waste 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.

Therefore, you are currently in violation of ORC Chapter 3734.03 and OAC Rules 3745-27-05(C).

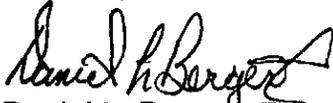
Open dumping of solid wastes on your Upper Twin Road property should cease immediately. All solid waste should be removed from the property and taken to a licensed disposal facility for proper disposal. Please obtain copies of receipts from the approved disposal facility that receives the waste and provide copies to this District Office in order to document your compliance.

Please respond to me, in writing, within 15 days detailing your intentions and actions taken to comply with Ohio's solid waste and C&DD regulations and laws.

**ROSS COUNTY
SITE - GEN
MAY 1, 2008
PAGE 2**

If you have any questions regarding this letter, please contact me at 740-380-5438.

Sincerely,



Daniel L. Bergen, R.S.
Environmental Specialist II
Division of Solid & Infectious Waste Management
Southeast District Office

DLB/jg

cc: Ross County Health Department