



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

August 24, 2009

**RE: ROSS COUNTY
SITE - GENERAL**

E. Don Wilson
P. O. Box #4
Greenfield, Ohio 45123

**CERTIFIED MAIL
#7007 3020 0001 7884 8609**

Dear Mr. Wilson:

This office has received multiple complaints on property you own along the west side of Wolfe Road in Ross County regarding the open dumping and open burning of solid waste and the illegal disposal of construction and demolition debris. The property is located northeast of Greenfield, Ohio and is directly across the street from 422 Wolfe Road.

The complaints allege that you and your employees use this location to dump materials from rental properties that you own. Further, the complaints allege that you or your employees periodically light the dump on fire and then leave.

On August 12, 2009, I investigated this complaint. An access roadway exists leading from Wolfe Road into the property. A dump is located on the north side of the roadway, just above the southeast bank of Paint Creek. The dump contains carpet, carpet padding, particle board, empty paint cans, old furniture, miscellaneous solid waste, tree trimmings, and at least two scrap tires. A partially filled in pit contains part of the waste. Ashes and partially burned material underlies portions of the present waste pile.

A records review at the Greenfield Fire Department found six separate reports in 2009 of responses to open burning of the dump at this property. The fire department responded to open burning at this location on March 3, March 17, April 25, May 29, June 23, and July 29, 2009.

Please be advised that open dumping and open burning of solid waste and C&DD is in violation 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(B) - Solid waste disposal by means of open burning, as defined in Chapter 3745-19 of the Administrative Code, regulations of Ohio EPA, is permitted only as provided therein.

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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.

OAC Rule 2745-400-04(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.

Based upon my investigation and the evidence obtained, you are currently in violation of the above rules and law. Further, you were in violation of the above rules and law on each of the fire-referenced days listed above.

The open dumping and open burning of solid wastes and C&DD on your property should cease immediately. All solid waste and C&DD must be removed from the property and taken to a licensed disposal facility for proper disposal. Additionally, all residual ash and remnant material from previous burns must also 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 regulations and laws.

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

Sincerely,



Daniel L. Bergert, R.S.
Environmental Specialist II
Division of Solid and Infectious Waste Management

DLB/jg

cc: Kelly Spindler, Ross County Health Department
cc: Terry L. Wheaton, Greenfield Fire Department
cc: Nathan Campbell, Greenfield Water Department
cc: Lisa Duvall, SEDO-DAPC
cc: Gary Ludwig, ODNR-DOW

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

E. DON WILSON
P.O. BOX #4
GREENFIELD OH 45123

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Red Cross

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number

(Transfer from service label)

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