

**Environmental
Protection Agency**

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

August 22, 2011

**RE: ROSS COUNTY
SITE-GEN**

Howard Tewksbury
5410 Denver Road
Waverly, Ohio 45690

Dear Mr. Tewksbury:

Ohio EPA has received a complaint of illegal disposal of solid waste at your property located at the above address in Ross County. On August 17, 2011, I conducted a site investigation of this property.

During this investigation, I met with you and observed a large amount of solid waste piled near the back of your property. The dump was located near the back of the property, just inside the tree line below the pasture/hay field. You indicated that the dump was very old, dating back to when your grandfather lived on the property. My observation of materials within the dump confirmed your statement. There was a significant quantity of rusty metal items within the dump, as well as miscellaneous other solid waste.

Please be advised that open dumping of solid waste is a violation of Ohio Revised Code (ORC) and Ohio Administrative Code (OAC). Specifically:

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

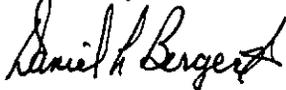
OAC Rule: 3745-27-05(C) - No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person responsible for the open dumping, the owner of the property, or the person who allows or allowed open dumping to occur, shall promptly 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.

You are currently in violation of these statutes. Disposal of solid waste in this manner should cease. The material must be legally disposed of at a licensed solid waste facility or be managed in a way that is consistent with OAC Rule 3745-27-03(A)(1). Recycling of the metals present in the dump can both reduce the cost of disposal, as well as provide funds to help defray the cost of the cleanup.

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Please provide a copy of your disposal receipts to this office. Please respond in writing within 14 days receipt of this letter as to your intentions to address the violations that exist on your property. Should you have any questions regarding this letter, please feel free to contact me at (740) 380-5438.

Sincerely,



Daniel L. Bergert, R.S.
Division of Materials and Waste Management

DLB/jg

cc: Ross County Health Department