



**Environmental
Protection Agency**

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

March 29, 2011

**RE: ROSS COUNTY
SITE-GEN**

Mr. Paul Tilton
P. O. Box #72
Chillicothe, Ohio 45601

Dear Mr. Tilton:

Ohio EPA has received a complaint of illegal disposal of solid waste at your residence on Jones Road in Ross County. I conducted a site investigation of this property on March 8, 2011. I met with you during my investigation.

During this investigation, I observed a large burn area piled with solid waste ready to be burned. The pile consisted of old lumber, trash, and tree limbs. You indicated you had created a pit to control the fires. I informed you that it was illegal to burn any solid waste within close proximity of your neighbors (<1,000' from your nearest neighbor). It is also illegal to burn solid waste that consists of any petroleum-based materials. You stated that you would not burn any more solid waste.

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

Ohio Revised Code (ORC) Section 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

Ohio Administrative Code (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.

Disposal of this material in this manner must cease immediately. All material must be removed for proper disposal. The accumulated solid waste should be legally disposed of at a licensed solid waste facility. Please provide a copy of your disposal receipts to this office. Please respond within 15 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 Solid and Infectious Waste Management

DLB/jg

cc: Matt Woods, R.S., Ross County Health Department