



**Environmental
Protection Agency**

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

August 19, 2011

**RE: ROSS COUNTY
SITE - GENERAL**

Ken Hughes
3532 Liberty Hill Road
Chillicothe, Ohio 45601

Dear Mr. Hughes:

Ohio EPA has received a complaint of illegal disposal of shingles at your property located at the above address in Ross County. On August 3, 2011, I conducted a site investigation of this property.

The complaint alleged that you allowed Danny Whitt to dump shingles at this location. I met with you and you confirmed that Mr. Whitt had dumped shingles from a roofing job he recently completed on this property. You showed me a pile of shingles at the back end of your yard. You stated the Ross County Health Department had already visited you and that you had plans for the pile to be cleaned up. You said that Mr. Whitt was to supply a rolloff box and that the shingles and other solid wastes on site were to be properly disposed of. You indicated that you planned to have the shingles cleaned up in about two to three weeks.

Please be advised that open dumping 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(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.

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Based upon my investigation and the evidence obtained, you are currently in violation of the above rules and law.

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. 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.

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 Materials and Waste Management

DLB/jg

cc: Ross County Health Department