



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

December 8, 2009

**RE: SCIOTO COUNTY
SITE - GENERAL
300001173**

Mr. David Davis
1444 Dry Run Road
West Portsmouth, Ohio 45663

Dear Mr. Davis:

The Southeast District Office of Ohio EPA received a complaint illegal disposal of demolition debris is occurring off Dry Run Road, West Portsmouth, Ohio. I conducted an inspection of the property on November 10, 2009, and observed that demolition debris exists on this property. It appears that a barn has been razed at this site.

Information that I received from the Scioto County Court House indicates that this demolition debris is on your property. Please be advised that Ohio's demolition debris laws provide that legal disposal or recycling be provided for this material.

Illegal disposal of demolition debris is a violation of Chapter 3714 of the Ohio Revised Code (ORC) and Chapter 3745-400 of the Ohio Administrative Code (OAC).

Specifically:

OAC 3745-400-04(B) - No person shall conduct or allow illegal disposal of construction and demolition debris.

All demolition debris at the described location should be removed from the property, and taken to a licensed solid waste disposal facility or demolition debris facility for proper disposal. Another option is to recycle the debris. Obtain copies of receipts from the landfill that received the waste and provide those copies to this district office in order to document your compliance. Please respond to this district office within ten days of receipt of this letter to inform me of your intentions and actions taken regarding the open dump.

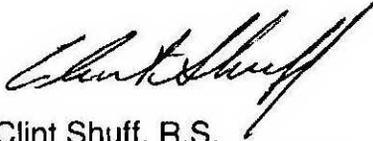
The disposal facility located nearest to you is the Pike Sanitation Landfill at 11775 State Route 220, Waverly, Ohio. The Portsmouth Exempt Transfer Station is also located on Elm Street in Portsmouth, Ohio. The Rumpke Transfer Station is located off County Road 1A in Haverhill. You may choose to use other permitted and licensed facilities as well.

Compliance with the requirements outlined in the letter, or the solid and infectious waste provisions contained on ORC Chapter 3734 and the rules promulgated thereunder, does not relieve the owner of his or her obligation to comply with other applicable State and Federal laws and regulations.

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Should you have questions, please contact me at 740-380-5246.

Sincerely,



Clint Shuff, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

CAS/jg

cc: Mike Trapp: Scioto County Health Department
cc: Dan Palmer: Lawrence and Scioto County Solid Waste Management District