



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 21, 2009

**RE: SCIOTO COUNTY  
SITE - GENERAL  
30001018**

Ms. Flora Fitzpatrick  
3286 Mt. Hope Road  
Otway, Ohio 45657

Dear Ms. Fitzpatrick:

The Southeast District Office of Ohio EPA received a complaint that open dumping of solid waste and demolition debris is occurring off of Mount Hope Road in Scioto County, Ohio. I conducted an inspection of the site on August 18, 2009, and observed that solid wastes and demolition debris has been dumped in two areas on a dirt road. Information that I received from the Scioto County Court House indicates that these dump sites may be on your property.

I met with you on this day to discuss the open dumping. You stated that you did not know the person or persons that may have dumped demolition debris and solid waste on your property. As the property owner, you are responsible for the removal and proper disposal of the solid waste and demolition debris.

Open dumping of solid waste and demolition debris is a violation of Chapter 3734 and 3714 of the Ohio Revised Code (ORC) and Chapter 3745-27 of the Ohio Administrative Code (OAC).

Specifically:

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

OAC 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.

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

Open dumping and burning of solid waste and demolition debris must cease immediately. All solid wastes and demolition debris disposed at the described location must be removed from the property, and taken to a licensed solid waste disposal facility for proper disposal. 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.

SCIOTO COUNTY  
SITE - GEN  
AUGUST 21, 2009  
PAGE 2

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 of 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.

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