



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

October 24, 2008

**RE: SCIOTO COUNTY
NEW BOSTON COKE
NOTICE OF VIOLATION**

Mr. Jack Hager
Southern Ohio Salvage & Contracting
State route 650
P.O. Box 56
Ironton, Ohio 45680

Dear Mr. Hager:

On September 23, 2008, I conducted an inspection of the New Boston Coke property located in New Boston, Ohio. I met with you on this inspection to discuss the demolition debris that still exists on the property and the razed buildings. Southern Ohio Salvage and Contracting was hired by Total Safety, the primary contractor to raze the Light Oil Building and the Coal Storage Building and to recycle scrap metal.

I first observed the demolition of the buildings by your company in August of 2007 and continuing through October of 2007. During recent site visits, there has been no solid waste, demolition debris or clean hard fill removal activity by Southern Ohio Salvage & Contracting or Total Safety.

I observed two areas where "clean hard fill" from the demolition of the coal storage building and the light oil building still remains. The concrete and block which is considered a "clean hard fill" must be provided proper disposal or reuse in accordance with OAC Rule 3745-400-05. Clean hard fill may be stored for up to two years, but must be removed within that time period or it is considered illegal disposal of construction and demolition debris OAC Rule 3745-400-05(B). My understanding is that the coal storage building was razed on August 29, 2007, and the light oil building was razed on October 2, 2007. However, the hard fill material appears to be abandoned rather than stored.

I also observed insulation in the tank farm area to the west of the property. This insulation was removed from piping at this site by Southern Ohio Salvage & Contracting. Total Safety and Southern Ohio Salvage & Contracting are responsible for proper disposal of this waste. The wastes remaining at the site from your demolition activities must be provided proper disposal at a licensed disposal facility.

Illegal disposal of demolition debris is a violation of Chapter 3745 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.

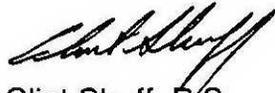
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Please respond to this letter within 10 days detailing your intentions and actions taken to abate the above noted violations and provide for proper management and disposal of these waste materials.

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: Donna Goodman, DHWM, SEDO
cc: Chris Osborne, DERR, SEDO
cc: Louis Boerger, Portsmouth Local Air Authority
cc: Joe Kirby, Receiver for the Court of Common Pleas