



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

February 5, 2007

**RE: SCIOTO COUNTY  
SITE - GEN**

Mr. Jack Mason  
3605 Sedan Crabtree Road  
Lucasville, Ohio 45648

Dear Mr. Mason:

The Southeast District Office of Ohio EPA conducted a follow-up inspection of the property where you reside on January 24, 2007. I met with your wife Rose on this inspection. I was accompanied by Bob Stern, Litter Control Officer with the Lawrence and Scioto County Solid Waste Management District. I observed solid wastes dumped on this property; this would include approximately 75 scrap tires. I did observe that you have cleaned up some of the waste since my last inspection in November of 2006.

Your wife stated that you plan on covering the scrap tires with a tarp and that some of the scrap tires could be used as a used tire. Your wife stated that you dispose of the solid wastes that you generate on the property in the roll-off box that was provided by Pike Sanitation. Your wife informed me that you would continue to cleanup the property. I am aware that you scrap metal and other junk and recycle this material at Livingston's Recycling in Portsmouth, Ohio.

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

Specifically:

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

OAC Rule 3745-27-05© - 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.

Scrap tires are open dumped on your property, in violation of ORC Section 3734.03 and OAC Rule 3745-27-05©.

OAC Rule 3745-27-60(B), the storage of scrap tires in any amount outside or inside a trailer, vehicle, or building shall be deemed a nuisance, a hazard to public health or safety or a fire hazard unless the tires are stored in accordance with specific standards set forth under OAC Rule 3745-27-60(B)(1)(10).

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OPEN DUMPING  
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In violation of OAC Rule 3745-27-60(B) the scrap tires on your property are a nuisance, a hazard to public health or safety or a fire hazard because they are improperly stored and managed.

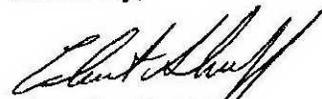
Open dumping of solid waste must cease immediately. All solid wastes disposed at the described location must be removed from the property, and taken to a licensed solid waste disposal facility for proper disposal. Obtain copies of receipts from the landfill that received the waste and provide those copies 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 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. 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/cb

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