



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

September 4, 2007

**RE: SCIOTO COUNTY
SITE - GEN
20070414**

Mr. Gary Herdman
8679 Jenks Road
Sabina, Ohio 45169

Dear Mr. Herdman:

The Southeast District Office of Ohio EPA received a complaint that open dumping of solid waste is occurring off of Haney Road in Vernon Township. This dump site is located on property that is on the south side of the road. I conducted an investigation of the site on August 29, 2007, and observed solid wastes dumped on this property. Information received from the Scioto County Court House indicates that this dump site may be located on your property.

As the property owner, you are responsible for the solid waste violations that exist on this property.

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 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.

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 taken regarding the open dump. I suggest that you contact Vernon Township and inquire into the possibility of a fence being constructed along the road to prevent further open dumping.

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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/jg

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