



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

April 14, 2009

**RE: SCIOTO COUNTY
SITE - GENERAL
30000803**

Mr. Glen Mollett
952 Mill Road
Wheelersburg, Ohio 45694

Dear Mr. Mollett:

The Southeast District Office of the Ohio EPA received a complaint that open dumping of drums a solid waste is occurring in Pike Creek on property located off of Mill Road, Scioto County, Ohio.

I conducted an inspection of the property on March 19, 2009, and again on April 8, 2009. I met with you on April 8, 2009, to discuss the open dumping. I observed approximately 12 drums full of concrete dumped on the banks of Pine Creek and into Pine Creek. It appears that the drums full of concrete are from the demolition of a bridge. I spoke with Ohio Department of Transportation, Scioto County Engineer, and the Porter Township Maintenance Supervisor about the drums of concrete in Pike Creek. All of the above did not have any information or know of the person or company that may have dumped the drums on your property. As the property owner you are responsible for the removal and proper disposal of the drums.

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.

ORC 6111.04(A)(1) - No person shall cause pollution or place or cause to be placed any sewage, sludge, sludge materials, industrial waste, or other wastes in a location where they cause pollution of any waters of the state.

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Open dumping of solid waste must cease immediately. All solid waste drums disposed at the described location must be removed from the property and taken to a licensed solid waste disposal facility or recycled. Obtain copies of receipts from the landfill or recycling facility 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 dumping.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in ORC Chapter 3734 and the rules promulgated there under, does not relieve the owner of his 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