



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

March 23, 2010

**RE: SCIOTO COUNTY  
SITE - GENERAL  
30001283**

Ms. Dorothy Smith  
2693A State Route 73  
Rarden, Ohio 45671

Dear Ms. Smith:

This Agency received a complaint that open dumping and burning of solid waste is occurring on your property located off State Route 73. On March 10, 2010, I conducted an inspection of the property; I was accompanied by Steve Hileman, Litter Control Officer with the Lawrence and Scioto County Solid waste Management District. I observed that open dumping and burning of solid waste is occurring on your property next to the creek.

I also observed solid waste in the creek. We met with you on this day to discuss the open dumping and burning; you stated that you would cease the dumping and burning and cleanup the 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.

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 and burning of solid waste must cease immediately. All solid waste 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. I suggest that you obtain the services of a registered waste hauler to assist you in your waste management. 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.

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 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/cb

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