



State of Ohio Environmental Protection Agency

**Southeast District Office**

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

November 29, 2010

**RE: SCIOTO COUNTY  
SITE - GEN**

David Stapleton  
3707 Jr. Furnace Powellsville Road  
Franklin Furnace, Ohio 45629

Dear Mr. Stapleton:

On November 10, 2010, this office received a complaint alleging that open dumping and open burning of solid waste and scrap tires was occurring at property you own located at the above address. On November 18, 2010, I conducted an investigation at the property and met with you. Following is a summary of my findings and our discussions.

At the time of my visit, I observed evidence of open burning of miscellaneous solid waste as well as scrap tires. You indicated that you do periodically burn both solid waste and scrap tires.

Please be advised that open dumping and open burning of solid waste is in violation of the Ohio Administrative Code (OAC) and the Ohio Revised Code (ORC). Specifically:

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

**OAC Rule 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(s) responsible for the open dumping, the owner of the property, or the person(s) who allow 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.

Please immediately cease all open dumping and open burning of solid waste and scrap tires. All solid waste at the site must be collected and properly disposed of in order to comply with the above-mentioned ORC and OAC law and rules. Continued open burning of any solid waste and/or scrap tires may result in escalated enforcement action including possible fines.

Should you have questions concerning this letter, please contact me at (740) 380-5439.

Sincerely,

P. Joe Holland, R.S.  
Environmental Specialist  
Division of Solid and Infectious Waste Management

PJH/jg