



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 6, 2010

**RE: WASHINGTON COUNTY
SITE - GEN**

Keith Thomas
626 Ninth Street
Marietta, Ohio 45750

Dear Mr. Thomas:

On March 30, 2010, this office received a complaint alleging that open dumping and open burning of solid waste and construction & demolition debris was occurring at property located at 1124 Cisler Drive in Marietta. The complaint alleged that the waste was dumped by you. On April 2, 2010, I investigated the complaint and was accompanied by Kelly Miller of the Marietta City Health Department. Ms. Miller and I were met at the site by a representative of the Marietta Police Department and the Marietta Fire Department.

Although no burning was occurring at the time of my investigation, we did observe a burn barrel and a pile of ashes behind the dwelling. In addition, approximately a dump truck load of commingled solid waste and construction & demolition debris was observed adjacent to the dwelling along with two 5 gallon containers with what appeared to be residual waste oil, some of which had leaked onto the ground.

Please be advised that open dumping and/or open burning of solid waste or illegal disposal of construction & demolition debris is in violation of 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.

OAC Rule 3745-400-04(D) - No person shall conduct or allow illegal disposal of construction and demolition debris.

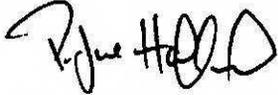
Please immediately cease all open dumping of solid waste and illegal disposal of construction and demolition debris. All solid waste and construction & demolition debris at the site must be properly disposed of in order to comply with the above mentioned ORC and OAC law and rules. Also, a review of records in this office found that you were cited in November 2008 for open burning of waste. As indicated in that letter, if you continue to open burn improper waste materials at this site, legal action may be taken against you.

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Finally, any waste oil accumulated at the premises should be properly recycled. Autozone or other companies typically will take this type of waste oil for proper recycling.

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

Sincerely,

A handwritten signature in black ink, appearing to read "P. Joe Holland". The signature is stylized with a large initial "P" and a cursive "Joe Holland".

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

PJH/cb

cc: Gerald Gulley, Marietta City Health Department
City of Marietta Mayor's Office