



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

June 22, 2011

RE: **WASHINGTON COUNTY
SITE - GEN**

Gary Smith
45 Shady Hill Road
Reno, Ohio 45773

Dear Mr. Smith:

On June 21, 2011, I conducted a follow-up investigation of your property at the above address. As you may recall, in March 2011, I sent you a notice of violation letter for open dumping of solid waste and illegal disposal of construction & demolition debris for this property. A recent telephone call received in this office indicated that the waste had not been removed and that additional material was being dumped behind the home.

At the time of this follow-up visit, my observations were similar to my observation during my initial visit in March. As in March, I observed a large fill area behind the home that consisted primarily of clean hard fill. There is, however, a considerable amount of solid waste and construction & demolition debris intermixed with the clean hard fill dumped behind the home.

As previously stated, open dumping 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.

All solid waste and construction & demolition debris must be removed from the site and taken to a licensed facility for proper disposal. It appears that little to no illegally dumped material has been removed from the location. Efforts must begin immediately to remove all solid waste and construction & demolition debris from the area. Failure to do so may result in escalated enforcement action from this agency.

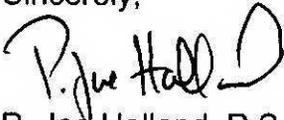
WASHINGTON COUNTY
SITE - GEN
JUNE 22, 2011
PAGE 2

I have previously provided you with information regarding what is defined as clean hard fill. Any material meeting this definition may be left in place as it is considered to be legitimate fill material. However, any material not meeting this definition must be removed for proper disposal.

Please respond within fifteen days of receipt of this letter as to your intentions to address this issue.

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

Sincerely,

A handwritten signature in black ink that reads "P. Joe Holland" with a stylized flourish at the end.

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

PJH/jg