



**Environmental
Protection Agency**

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

March 14, 2011

RE: **WASHINGTON COUNTY
SITE - GEN**

Gary Smith
45 Shady Hill Road
Reno, Ohio 45773

Dear Mr. Smith:

On March 3, 2011, this office received a complaint alleging that open dumping of solid waste and illegal disposal of construction & demolition debris was occurring at property you own and located at the above address. The complaint alleged that you were bringing miscellaneous solid waste, demolition debris and hard fill from your concrete business and disposing of it behind your home. At the time of my investigation, I was accompanied by Robert Reiter of the Southeastern Ohio Joint Solid Waste Management District. While at the site, we spoke with your wife who gave us permission to take a look behind the home.

Mr. Reiter and I observed a large fill area behind the home that consisted primarily of clean hard fill. However, in addition to the clean hard fill we observed a considerable amount of solid waste and construction & demolition debris dumped behind the home.

Please be advised, 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.

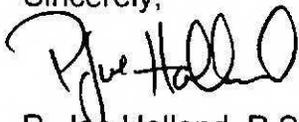
OAC Rule 3745-400-04(D) - No person shall conduct or allow illegal disposal of construction and demolition debris.

All solid waste and construction & demolition debris must be removed from the site and taken to a licensed facility for proper disposal. I have included 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.

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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 written in a cursive style with a large, looped "H" at the end.

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

PJH/jg

cc: Ken Robinson, Washington County Health Department