



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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www.epa.state.oh.us

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

April 29, 2008

**RE: BELMONT COUNTY
SITE - ROGER TIPTON DUMP**

Mr. Roger Tipton
56292 Neffs/Bellaire Road
Bellaire, Ohio 43906-9664

Dear Mr. Tipton:

Thank you for your copies of waste receipts from Automatic Recycling, Inc., located in Benwood, West Virginia, and Herman Strauss, Inc., located in Wheeling, West Virginia. These receipts were received by Ohio EPA's Southeast District Office on March 17, 2008.

These receipts document that on February 8, 2008, approximately of 2,220 pounds of scrap metal was removed from your property and disposed of at Automatic Recycling, Inc., and another 690 pounds of aluminum cans were removed from your property and disposed of at Herman Strauss, Inc.

I appreciate the efforts you have undertaken to remove and properly dispose of this material and encourage you to continue these efforts. However, as you are aware, a significant amount of solid waste remains deposited on the ground on your Neffs/Bellaire Road property.

As stated in my previous letters to you, the solid waste deposited at your Neffs/Bellaire Road property constitutes violations of Ohio Revised Code (ORC) Chapters 3734.05(A)(1), 3734.03 and Ohio Administrative Code (OAC) Rules 3745-27-21(A)(1), 3745-37-01(A), 3745-27-05(C) regarding the handling and disposal of solid waste, as well as ORC 6111.04, regarding potential pollution of waters of the State of Ohio. These violations will continue to accrue daily until such time as your Neffs/Bellaire Road property is in substantial compliance with Ohio's solid waste regulations and law.

Please respond to this letter, in writing, within fifteen (15) days, and provide detailed plans to bring this property into compliance with Ohio's solid waste regulations and law. Failure to bring your Neffs/Bellaire property into compliance with Ohio EPA's solid waste regulations and laws will result in an escalated enforcement action.

Should you have any questions, please contact me at (740) 380-5408.

Sincerely,

Robert Murphy, R.S.
Environmental Specialist II
Division of Solid and Infectious Waste Management
Ohio Environmental Protection Agency
Southeast District

RM/cb

cc: James King, Belmont County Health Department