



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-6501 FAX: (740) 385-6480  
www.epa.state.oh.us

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

March 11, 2009

**BELMONT COUNTY  
SITE - SHIELDS HOLLOW RD. DUMP**

Ms. Carmela Myers  
65113 Shields Hollow Road  
Bellaire, Ohio 43906

Dear Ms. Myers:

Based on records at the Belmont County Court House in St. Clairsville, it appears that you are the current owner of property previously owned by Ms. Melissa Pacifico that is located on Shields Hollow Road, in Pultney Township, Belmont County, Ohio. According to Belmont County parcel data, ownership of parcel # 26-00844.000 was transferred to you on September 22, 2008.

Please be advised that a large amount of solid waste consisting of general household trash, as well as, construction and demolition debris (C&DD) has been illegally disposed of on this property. Open dumping of solid waste is a violation of ORC Chapter 3734.03 and OAC Rule 3745-27-05(C). In addition, the illegal disposal of C&DD is a violation of Chapter 3714 of the ORC and Chapter 3745-400 of the OAC. 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.

In accordance with Ohio law, as the legal property owner you are ultimately responsible for any illegal actions that take place on your property. This could include the cleanup of the above referenced illegal dump.

Therefore, you are currently in violation of ORC Chapter 3734.03 and OAC Rules 3745-27-05(C) and 3745-400-04(D).

You are also in violation of ORC 3767.13(B) which states that no person shall cause or allow offal, filth, or noisome substances to be collected or remain in any place to the damage or prejudice of others or of the public.

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In addition, open dumping and open burning of solid waste may create a nuisance and/or health hazard, and as such may be considered by the Belmont County Board of Health to be in violation of Section 3707.01 of Ohio's Public Health Nuisance Law. Enforcement of this statute remains at their discretion.

All solid waste and C&DD should be removed from the property and taken to a licensed disposal facility for proper disposal. Please obtain copies of receipts from the approved disposal facility that receives the waste and provide copies to this District Office in order to document your compliance.

Please respond to this letter, in writing, within 15 days detailing your intentions and actions taken to comply with Ohio's solid waste and C&DD regulations and laws. 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

## Belmont County Parcel Data, Belmont County, Ohio

*Data from Belmont County Engineer's Parcel Database*

This is not a replacement or substitute for parcel data on record at the courthouse

1 record for Parcel No. = 26-00844.000

<b>AUDITOR PARCEL NO.: 26-00844.000</b> (Click here, then 'Real Estate On Line' hyperlink, to search Auditor Data)	<b>TAX MAP PARCEL NO.: 32</b> (Click here for Transfer History from July, 1997)
<b>LNAME: MYERS</b>	<b>FNAME: CARMELA</b>
<b>VOL/PG: 9166 / 263</b>	<b>ACREAGE: 1.05</b>
<b>DATE TRANSFERRED: 09/22/2008</b>	<b>DATE UPDATED: 09/25/2008</b>
<b>TWP: PUL SEC: 18 T- 05 R- 3</b>	<b>DRAWING: SEC18053</b>
<b>SUBDIVISION:</b>	<b>CAB/SL:</b>
<b>DESC: R3 T5 S18 NE 1.05A</b>	<b>NOTE:</b>
<b>MEMO1:</b>	<b>MEMO2:</b>
<b>OWNADD1: 65113 SHIELDS HOLLOW RD</b>	<b>PROPADD1: SHIELDS HOLLOW RD</b>
<b>OWNADD2:</b>	<b>PROPADD2:</b>
<b>OWNADD3: BELLAIRE OH 43906 USA</b>	<b>PROPADD3: "</b>
<b>ZIP: 43906</b>	<b>C/O NAME:</b>
<b>LAND: 3050</b>	<b>IMPROV: 0</b>

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