



State of Ohio Environmental Protection Agency

Southeast District Office

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

March 5, 2008

**RE: BELMONT COUNTY
SITE - EYGP NORTH ROAD**

Mr. Clifford W. Collins
62062 South 26 Road
Bethesda, Ohio 43719

Dear Mr. Collins:

As you recall, I informed you in several previous letters that the Southeast District Office of the Ohio Environmental Protection Agency (EPA) received a complaint that open dumping of solid waste is occurring on property owned by you. The illegal dump site is located on property located at 68850 Egypt North Road, Kirkland Township, Belmont County, Ohio.

I also informed you that I conducted an inspection of this property and observed a large amount of solid waste consisting of general household trash, scrap tires and various kinds of scrap metal illegally disposed of at this location. In addition, the remains of a mobile home that has been destroyed by fire, remains deposited at this location.

Please be advised that on February 26, 2008, I conducted a follow up inspection of your Egypt North Road property. It appeared that very little work to remove and properly dispose of the above referenced material has been accomplished, based on the large amount of solid waste and demolition debris that remains illegally disposed of at the site.

As stated in my previous letter to you, 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.

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

The above cited violations of Ohio Revised Code (ORC) Chapter 3734.03 and Ohio Administrative Code (OAC) Rules 3745-27-05(C) and 3745-400-04(D) will continue to accrue until such time as your Egypt North Road property is in substantial compliance with Ohio's solid waste and C&DD regulations and law. Failure to bring your Egypt North Road into compliance with Ohio EPA's solid waste and C&DD regulations and laws will result in an escalated enforcement action.

In addition, open dumping 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.

Please respond to this letter, in writing, within 15 days detailing your intentions and actions taken to comply with Ohio's solid waste and demolition debris 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/jg

cc: Harold Vermillion, Belmont County Health Department