



**Environmental
Protection Agency**

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

April 8, 2011

**RE: BELMONT COUNTY
SITE - GENERAL**

Mr. Jeffrey Lyons, Jr.
71652 Wheeling Valley Road
Saint Clairsville, OH 43950

Dear Mr. Lyons:

On March 31, 2011, the Ohio Environmental Protection Agency investigated a complaint concerning property owned by you on Henderson Ridge Road (Township Road 475) Range 4, Map #3, located in Belmont County. The complaint alleged that open dumping of solid waste and animal carcasses was occurring on this property. At the time of my inspection, I observed tires, a mattress, solid waste and animal carcasses on your property.

You are in violation of Ohio Revised Code (ORC) chapter 3734.03 and Ohio Administrative Code (OAC) 3745-27-05(C).

ORC 3734.03 states in part:

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC 3745-27-05(C) states:

OAC 3745-27-05(C) - No person shall conduct, permit, or allow open dumping.

Improper storage of scrap tires poses several potential problems for the local residents, environment, and emergency crews in the area. Scrap tires provide an optimal breeding ground for mosquitoes. Mosquitoes identified at tire piles in Ohio can carry St. Louis Encephalitis, La Crosse Encephalitis, Yellow Fever, Dengue Fever and West Nile Virus.

Scrap tire fires are a source of air pollution and can cause respiratory problems for those that breathe the smoke. Tire fires are also difficult for emergency crews to extinguish.

Ohio law requires that anyone removing scrap tires for disposal must take the tires to either a licensed or registered scrap tire collection, recovery or disposal facility. Anyone transporting more than ten (10) scrap tires must be registered with Ohio EPA as a Scrap Tire Transporter. The remaining solid waste must also be removed from the above-mentioned property and disposed of at either a licensed solid waste disposal facility or taken to a legitimate recycling facility. Copies of receipts for disposal or recycling should be submitted to this office for proof of disposal. The Belmont Soil and Water Conservation District and the Department of Agriculture have been notified to address the animal carcasses found at the dump site.

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Please respond to this correspondence within 14 days of receipt. Your response should include details of your actions taken to properly dispose or recycle the current waste on your property.

If you have any questions, please contact me at this office. You can reach me either by mail or by calling me at (740) 380-5228.

Sincerely,

A handwritten signature in black ink that reads "Erika Jackson". The signature is written in a cursive, flowing style with a long horizontal flourish extending to the right.

Erika Jackson
Environmental Specialist II
Division of Solid and Infectious Waste Management

EJ/jg