



**Environmental
Protection Agency**

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

January 23, 2012

**RE:HARRISON COUNTY
SITE – GENERAL
NOV**

Mr. Jared Rupp
31600 Moravian Trail
Tippecanoe, OH 44699

RE: Notice of Violation

Dear Mr. Rupp:

On January 19, 2012, the Ohio Environmental Protection Agency investigated a complaint concerning property owned by you in Franklin Township off Tappenhills Road, located in Harrison County. This complaint alleged the open dumping of solid waste on this property. I observed the accumulation of ash, brick, plastic and wood on your property. You stated you realized the waste had to be removed and had called J&J refuse to come and remove it that day.

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.

Please be advised that you need to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, you are requested to provide documentation to this office including the steps taken to prevent the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies and photographs, as appropriate and may be submitted via the postal service or electronically to erika.jackson@epa.ohio.gov.

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Failure to comply with Chapter 3734, (or 3714 for C&DD) of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance.

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.

Erika Jackson
Environmental Specialist II
Division of Materials and Waste Management

EJ/sb

Jared Rupp

Emergency Response Section - Initial Pollution Incident Report (IPIR)

1/9/2012

Spill Id Number: 1201-34-0045//0

District: SE

Reported By: MARK TONDRA	Reported: 01/07/2012 14:18
Title:	Discovered: 01/07/2012 04:10
Telephone: (740) 922-9427 ext:	Occurred: 01/07/2012 0410
Affiliation: CITIZEN	Chronic: N

County: HARRISON	City/Township: FRANKLIN TWP
Did Spiller Report ? N	Complaint ? Y
Received By: TAYLOR, TODD	Priority: 3
Local EPC ? N	Did you tell the Spiller to Call the N.R.C ? N
Business: N	SARA Report: N

Suspected Spiller: UNK DUMP TRUCK
Mailing Address: N/A
Telephone: (000) 000-0000 ext:

Location: 31700 TAPPENHILLS RD

Source: TRANSPORTATION - TRUCK - OTHER

Cause: DUMPING / DISPOSAL

Reason: CITIZEN COMPLAINT

Waterways Affected: N/A

Media Affected 1: LAND OR LAND SURFACE

Media Affected 2: AIR

Media Affected 3: OTHER AREA

Product(s) Spilled

Product	Amount	UOM	RQ	Size	Type	EHS
SOLID WASTE	.0	UNK	.0	U	O	N

Other Agencies Notified

Agency	Person	Date	Time
DSIWM	SEDO/DSWIWM	01/09/2012	06:58

Remark

REPORT OF A DARK COLORED DUMP TRUCK (LICENSE PAX7033), DUMPED TWO LOADS OF SOLID WASTE ONTO THE EDGE OF THE ROADWAY. CITIZEN NOTED MATERIAL LOOKS LIKE ASH. DO ADVISED SEDO/DSIWMN WILL BE NOTIFIED ON MONDAY.

410 N. CR #2 toward lake.

31600
Marvian Trail
T. canoe 44699