Environmental Protection Agency

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

December 2, 2011

RE: BELMONT COUNTY SITE - GEN NOV

Ricky Runner
69757 Ohio St.
Martin's Ferry, OH 43935

Re: Open Dumping, Belmont County, Pease Township

Dear Mr. Runner:

On November 8, 2011, the Ohio Environmental Protection Agency investigated a complaint concerning property owned by you in Pease Township, 69757 Ohio St. Martin's Ferry, located in Belmont County, Ohio. The complaint alleged that solid waste was being disposed of on the property. During my investigation, I observed a large quantity of solid waste, construction and demolition debris, and tires on the above-mentioned 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.

The solid waste, tires, and construction and demolition debris must 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.

Within fourteen (14) days of receipt of this letter, Ricky Runner is requested to provide documentation to this office verifying abatement of the aforementioned violations. Failure to redress listed violations and respond within this timeframe may result in escalated enforcement against Ricky Runner for violation of Chapter 3734. (or 3714.) of the Ohio Revised Code, which carries a civil penalty of up to $10,000 per day for each violation. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted electronically to erika.jackson@epa.ohio.gov. If Ricky Runner is unable to return to compliance within the fourteen (14) day timeframe, please contact Erika Jackson at (740) 380-5228.

Southeast District Office
2195 Front Street
Logan, OH 43138-8637

740 | 385 8501
740 | 385 6490 (fax)
www.epa.ohio.gov

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

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 at (740) 380-5228.

Sincerely,

Erika Jackson, R.S.
Environmental Specialist II
Division of Materials and Waste Management

EJ/cb