



**Environmental
Protection Agency**

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

February 27, 2012

**MUSKINGUM COUNTY
SITE - GENERAL
NOV**

Mr. Michael Larr
11415 Sarchet Lane
Dresden, Ohio 43821

Dear Mr. Larr:

On February 21, 2012, the Ohio Environmental Protection Agency received a complaint concerning property owned by you (parcel #10-30-41-06-000) at 11480 Sarchet Lane in Muskingum County. This complaint alleged the open dumping of solid waste on this property. On December 24, 2012, I investigated this complaint and found it appears to be valid. I observed a foundation which had been filled with the burnt remnants of the former house. The complainant claimed the house had burned down in May 2011. The remains of a house fire are considered a solid waste.

Please note that the above noted dumping is 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:

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

OAC 3745-27-05(C) states:

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.

Please respond to this correspondence within 14 days of receipt. Your response should include details of your actions taken to properly dispose of the current waste on your property. This material must be taken to a licensed municipal solid waste landfill for proper disposal. Please include copies of receipts documenting the proper disposal of the noted solid waste. In addition, please notify me once the removal has been

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completed so I may inspect the foundation before it is filled back in with acceptable materials.

Failure to redress listed violations and respond within this timeframe may result in escalated enforcement against you for violation of Chapter 3734. 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 mark.mansfield@epa.ohio.gov. If you are unable to return to compliance within the fourteen (14) day timeframe, please contact me at (740) 380-5428.

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.

Sincerely,



Mark Mansfield
Environmental Specialist II
Division of Materials and Waste Management

MM/sb

cc: Mr. Brian Larr
3215 Moxadarla Drive, Apt. 5C
Zanesville, OH 43701

cc: Ms. Julie Hopkins
11460 Sarchet Lane
Dresden, OH 43821