



**Environmental
Protection Agency**

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

March 6, 2012

**MUSKINGUM COUNTY
SITE - GENERAL
NOV**

Estate of Fred Nolan
PO Box 190
Zanesville, OH 43702

To Whom It May Concern:

On March 1, 2012, the Ohio Environmental Protection Agency performed an inspection of property owned by the estate of Fred Nolan (parcels #47-28-01-19-001, #47-28-01-19-002, #47-28-01-18-000, and #47-29-03-11-002) along Moxahala Place, Zanesville, in Muskingum County. My investigation noted the open dumping of solid waste, construction and demolition debris (C&DD), and scrap tires. Solid waste was noted on the parcel to the east of Moxahala Place (#47-29-03-11-002), while C&DD and large earthmover tires were noted on the parcels to the west of Moxahala Place (#47-28-01-19-001, #47-28-01-19-002, and #47-28-01-18-000).

Please note that the above noted open dumping of C&DD is in violation of Ohio Revised Code (ORC) chapter 3734.03 and Ohio Administrative Code Rule 3745-400-04(B), which states in part:

No person shall conduct or allow illegal disposal of construction and demolition debris. . .

The above noted open dumping of solid waste 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.

The C&DD on this property must be properly recycled or disposed of at a licensed solid waste or C&DD disposal facility. The solid waste must be properly disposed of at a licensed solid waste landfill. The scrap tires must be taken to a licensed or registered scrap tire collection, recovery, or disposal facility, or recycled. If you would like to discuss potential tire recycling options, please let me know. Please also be advised that

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anyone transporting more than ten (10) scrap tires must be registered with Ohio EPA as a Scrap Tire Transporter.

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. Please include copies of any receipts documenting the proper disposal of the noted solid waste, C&DD, and scrap tires.

If you have any questions, please feel free to contact me at this office. You can reach me either by mail or by calling me at (740) 380-5428.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Mansfield', written in a cursive style.

Mark Mansfield
Environmental Specialist II
Division of Materials and Waste Management

MM/sb