



**Environmental  
Protection Agency**

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

April 23, 2012

HARRISON COUNTY  
SITE – GENERAL

Mr. Kenneth Buell  
541 Ramonford Ct.  
Westerville, Ohio 43081

Dear Mr. Buell:

On September 7, 2010, a notice of violation was issued to you by the Ohio Environmental Protection (Ohio EPA) Southeast District Office (SEDO) regarding the open dumping of scrap tires and other solid waste on property owned by you on Hanover Ridge Road in Harrison County, Ohio. On April 17, 2012, I conducted a follow up inspection at the open dumping site owned by you on Hanover Ridge Road. As discussed with you in the past you are ultimately responsible for the cleanup of this site. On March 2, 2012 and April 3, 2012, I received copies of receipts for the disposal of scrap tire by the Campbell Scrap Tire Company Inc. It appears that you have removed most of the scrap tires that have been dumped on your property. In your letter of March 2, 2012, you mentioned that once you complete the removal of the scrap tires you will move forward on cleaning up the remaining waste. Since this matter has been ongoing since 2010, I am asking that you provide me with a specific time frame when I can expect the completion of the cleanup. Due to the length of time that this case has been ongoing failure to provide this; will result in this matter being turned over for enforcement action.

Please be advised that open dumping of solid waste is a violation of ORC Chapter 3734.03 and OAC Rule 3745-27-05(C). In addition, the illegal disposal of C&DD is a violation of Chapter 3714 of the ORC and Chapter 3745-400 of the OAC. Specifically: ORC Chapter 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC Rule 3745-27-05(C) - 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.

OAC Rule 3745-400-04(D) - No person shall conduct or allow illegal disposal of construction and demolition debris.

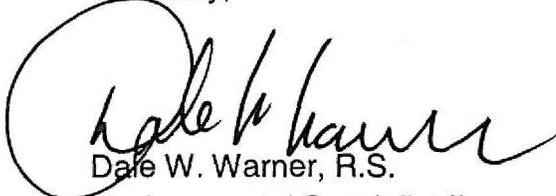
Therefore, the Village of Jewett is currently in violation of ORC Chapter 3734.03 and OAC Rules 3745-27-05(C) and 3745-400-04(D).

In addition, open dumping of solid waste may create a nuisance and/or health hazard, and as such may be considered by the Harrison County Board of Health to be in violation of Section 3707.01 of Ohio's Public Health Nuisance Law. Enforcement of this statute remains at their discretion.

Open dumping of solid waste and construction and demolition debris should cease. All solid waste and construction and demolition debris should be removed from the property and taken to a licensed disposal facility for proper disposal. Failure to provide the aforementioned letter will result in this matter being turned over for enforcement. Please obtain copies of receipts from the approved disposal facility that receives the waste and provide copies to this District Office in order to document your compliance. Please find copies of pictures detailing the open dumped solid waste and illegally disposed of demolition debris.

Should you have any questions or would like to set up a meeting on-site to discuss this situation further, please contact me at (740) 380-5435.

Sincerely,



Dale W. Warner, R.S.

Environmental Specialist II  
Division of Materials and Waste Management

DW/sb

cc: Harrison County Health Department