



**Environmental  
Protection Agency**

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

August 8, 2012

**RE: BELMONT COUNTY  
SITE - GEN  
NOV**

Bud Smith  
Director of Environmental Control  
1134 Market St.  
Wheeling, WV 26003

**CERTIFIED MAIL**  
7010 2780 0001 9704 4695

**Re: Open Dumping, RG Steel, LLC Belmont County**

Dear Mr. Smith:

On July 31, 2012, the Ohio Environmental Protection Agency drove by the by RG Steel, Martins Ferry, located in Belmont County, Ohio. I observed a large quantity of waste water treatment plant sludge on the ground directly beside the waste water treatment plant. Our records indicate that RG Steel, LLC is the current owner of the site.

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 waste water treatment plant sludge must be removed from the above-mentioned property and disposed of at a licensed solid waste disposal facility. Copies of receipts for disposal should be submitted to this office for proof of disposal.

Within fourteen (14) days of receipt of this letter, RG Steel, LLC 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 RG Steel, LLC, 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](mailto:erika.jackson@epa.ohio.gov). If RG Steel, LLC is unable to return to compliance within the fourteen (14) day timeframe, please contact Erika Jackson at (740) 380-5228.

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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 of the waste on your property.

If you have any questions, please contact me at this office. You can reach me at (740) 380-5228.

Sincerely,

A handwritten signature in black ink, appearing to read "Erika Jackson", with a long, sweeping flourish extending to the right.

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

EJ/cb