



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

October 23, 2012

**RE: HARRISON COUNTY
SITE – GENERAL**

Mr. Ivan Vale
87101 Vale Road
Jewette, Ohio 43986

Dear Mr. Vale:

On September 26, 2012, the Southeast District Office of the Ohio Environmental Protection Agency (EPA) conducted a follow up inspection regarding a notice of violation that was issued to you on December 7, 2009 regarding the open dumping of solid waste on property owned by you. The illegal dump site is located on Hanover Ridge Road and Vale Road, Archer Township, Harrison County, Ohio.

During my inspection, I observed that a large amount of solid waste and construction and demolition debris still remained on the property. As discussed with you and Mr. Skipper at that time, all illegally deposited waste must be removed and disposed of at an approved disposal facility.

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.

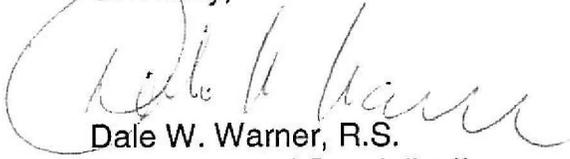
Therefore, you remain in violation of ORC Chapter 3734.03 and OAC Rules 3745-27-05(C) and 3745-400-04(D).

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.

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Open dumping of solid wastes on your Hanover Ridge Road property should cease immediately. All solid waste and C&DD should be removed from the property and taken to a licensed disposal facility for proper disposal. Due to your failure to bring this site into compliance with the aforementioned regulations this matter is being referred to our Central office for enforcement action. Should you have any questions or like to discuss this situation further, please contact me at (740) 380-5435.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale W. Warner".

Dale W. Warner, R.S.
Environmental Specialist II
Division of Material and Waste Management

cc: Harrison County Health Department
James Skipper, 87451 Vale Road, Jewett, Ohio 43986

DW/mr