



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

October 25, 2012

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

Ricky Runner
69757 Ohio St.
Martin's Ferry, OH 43935

CERTIFIED MAIL
70101060000178961313

Re: Open Dumping, Belmont County, Pease Township

Dear Mr. Runner:

On November 8, 2011, the Ohio Environmental Protection Agency investigated a complaint concerning property owned by you in Pease Township, 69757 Ohio Street, Martin's Ferry, located in Belmont County, Ohio. On December 2, 2011, I sent a Notice of Violation (NOV) to you concerning these violations. On May 3, 2012 you received a second notice concerning this dump site. This notice was sent certified mail and was received by you on May 7, 2012, while in the company of Special Investigator, Ken Mettler.

The complaint alleged that solid waste was being disposed of on the property. During my investigation, I observed a large quantity of solid waste, construction and demolition debris, and tires on the above-mentioned property.

As of October 24, 2012, Ohio EPA has not received a response to the December 2, 2011 NOV or the May 3, 2012 NOV. On October 16, 2012, Ohio EPA did a follow-up inspection. The open dump at your property located at 69757 Ohio Street, Martin's Ferry is still 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 solid waste, tires, and construction and demolition debris must be removed from the above-mentioned property and disposed of at either a licensed solid waste disposal facility or taken to a legitimate recycling facility. Copies of receipts for disposal or recycling should be submitted to this office for proof of disposal.

Within fourteen (14) days of receipt of this letter, Ricky Runner 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 Ricky Runner 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. If Ricky Runner is unable to return to compliance within the fourteen (14) day timeframe, please contact Erika Jackson at (740) 380-5228.

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.

This case has been referred to Ohio EPA Central Office for enforcement action.

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 that reads "Erika Jackson". The signature is written in a cursive, flowing style.

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

EJ/mr

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Sent To **Ricky Runner** 43138
Street, Apt. No. or PO Box No. **69757 Ohio St**
City, State, ZIP+4 **Martin's Ferry OH 43935**
PS Form 3800, August 2006 See Reverse for Instructions

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|--|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> |
| <p>1. Article Addressed to:</p> <p>Ricky Runner 69757 Ohio St Martin's Ferry OH 43935</p> | <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>2. Article Number (Transfer from service label) 7010 1060 0001 7896 1313</p> | |
| PS Form 3811, February 2004 | Domestic Return Receipt 102595-02-M-1540 |