



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

October 26, 2012

RE: BELMONT COUNTY
SITE - GEN
NOV 1

Gary Anderson
1883 Belmont St.
Bellaire, OH 43906

CERTIFIED MAIL
7010 2780 0001 9704 4244

Re: Open Dumping, Belmont County, Pultney Township

Dear Mr. Anderson:

On September 11, 2012, the Ohio Environmental Protection Agency investigated a complaint concerning open dumping occurring in Belmont County. The complaint alleged that solid waste was being disposed of in McMahan Creek. During my investigation, I observed a large quantity of solid waste, shingles, and construction and demolition debris, tires and a couch in the creek. I also observed mail leading back to your property located at 709 33rd Street, Bellaire Ohio. You have been in contact with Ken Mettler concerning this open dump site.

You are in violation of Ohio Revised Code (ORC) chapter 3734.03 and Ohio Administrative Code (OAC) Rule 3745-27-05(C).

ORC Section 3734.03 states in part:

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC Rule 3745-27-05(C) states:

OAC 3745-27-05(C) - No person shall conduct, permit, or allow open dumping.

The solid waste, shingles, and construction and demolition debris must be removed from the above-mentioned property and disposed of at 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, Gary Anderson. 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 Gary Anderson 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 Gary Anderson 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.

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.

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 fluid and cursive, with a long horizontal flourish extending to the right.

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

cc: Lisa Duvall, DAPC-SEDO

EJ/mr

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Sent To Gary Anderson
 Street, Apt. No., or PO Box No. 1883 Belmont St
 City, State, ZIP+4 Bellaire OH 43906

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

Gary Anderson
1883 Belmont St.
Bellaire OH 43906

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
D. Anderson

B. Received by (Printed Name) Agent
 Addressee
Gary Anderson

C. Date of Delivery
11-01

D. Is delivery address different from item 1? Yes
 No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7010 2780 0001 9704 4244