



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

November 7, 2012

RE: BELMONT COUNTY
SITE - GENERAL

Sharon Bartow
313 High St.
Flushing, OH 43977

CERTIFIED MAIL #
7010106000178961306

RE: NOTICE OF VIOLATION

Dear Ms. Sharon Bartow:

On November 5, 2012, the Ohio Environmental Protection Agency investigated a complaint concerning property owned by you located at 204 High Street, Flushing, Ohio, in Belmont County. This complaint alleged that the restaurant burned down in June of 2012, and the debris has not been removed. The complainant alleged that the debris is harboring vectors.

During my inspection, I spoke with you concerning the large amount of debris remaining on site. There were two J&J roll-off boxes and a wheel loader on site. In addition to the debris located at the site of the fire, I observed a large quantity of solid waste and demolition debris behind the Christian Church on High Street and Market Street. I received a complaint about this site, and observed the wheel loader enter this site as well. The waste from the restaurant is required to be disposed of in a licensed disposal facility and placing waste in any location other than a licensed disposal facility is considered open dumping.

You are in violation of the following rules:

ORC Rule 3734.03 states in part:

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

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

No person shall conduct, permit, or allow open dumping.

OAC Rule 3745-400-04(B):

No person shall conduct or allow illegal disposal of construction and demolition debris.

**BELMONT COUNTY
SITE – GENERAL
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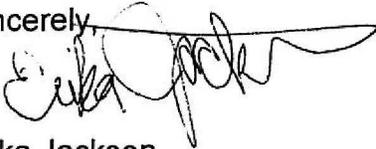
All solid waste and C&DD should be removed and taken to a licensed disposal facility for proper disposal. Please obtain copies of receipts from the licensed disposal facility that received the waste and provide copies of the receipts to Southeast District Office in order to document your compliance.

Within fourteen (14) days of receipt of this letter, Ms. Bartow 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 Ms. Bartow 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 Ms. Sharon Bartow 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.

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

Sincerely,



Erika Jackson
Environmental Specialist II
Division of Materials and Waste Management

EJ/mr

cc: Mayor Bashline, P.O. Box 66, Flushing, OH 43977

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Restricted Delivery Fee
 (Endorsement Required)

Total Postage & Fees \$ **5.75**



Sent To **Sharon Bartow**
 Street, Apt. No., or PO Box No. **313 High Street**
 City, State, ZIP+4 **Flushing OH 43977**

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:

**Sharon Bartow
 313 High Street
 Flushing OH 43977**

2. Article Number
 (Transfer from service label)

7010 1060 0001 7896 1306

COMPLETE THIS SECTION ON DELIVERY

A. Signature **Sharon Bartow** Agent
 Addressee

B. Received by (Printed Name) **Sharon Bartow** C. Date of Delivery

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

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

4. Restricted Delivery? (Extra Fee) Yes