



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

December 12, 2012

**RE: BELMONT COUNTY
SITE - GEN
NOV 1**

Mike Mann
52692 Ohio Ave.
Beallsville, OH 43716

**CERTIFIED MAIL
#70102780000197061432**

Re: Open Dumping, Belmont County, Washington Township

Dear Mr. Mann:

On December 4, 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 on Saffell Church Road off of State Route 148. During my investigation, I observed a large quantity of solid waste, trash bags and diapers. I also observed mail leading back to your property located at 52692 Ohio Ave. Beallsville, Ohio.

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 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, Mike Mann 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 Mike Mann 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 Mike Mann 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, 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/mr

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7010 2780 0001 9706 1432

| | |
|---|----------------|
| Postage | \$.45 |
| Certified Fee | 2.95 |
| Return Receipt Fee (Endorsement Required) | 2.35 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 5.75 |

Postmark Here
 LOGAN OH
 DEC 13 2012
 43135

Sent To Mike Mann
 Street, Apt. No.,
 or PO Box No. 52692 Ohio Ave
 City, State, ZIP+4 Beallsville OH 43716

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:

Mike Mann
52692 Ohio Ave
Beallsville OH 43716

COMPLETE THIS SECTION ON DELIVERY

A. Signature Addressee Agent

X Mike Mann

B. Received by (Printed Name) Mike Mann C. Date of Delivery 12-14-12

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

2. Article Number (Transfer from service label) 7010 2780 0001 9706 1432