



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

January 31, 2013

RE: **WINSLOW DUMP – GORE ROAD
NOTICE OF VIOLATION**

CERTIFIED MAIL 7012 1010 0000 9467 7261

William Winslow
404 Gore Road
Conneaut, Ohio 44030

Dear Mr. Winslow:

On December 28, 2012, the Conneaut Police Department and Conneaut Fire Department inspected the properties located at 404 Gore Road, Conneaut, in Ashtabula County. The inspection was conducted in response to a complaint of open burning and open dumping of construction and demolition debris (C&DD). Dennis Moore, representing Conneaut Police Department, and Steve Lee, representing Conneaut Fire Department, conducted the inspection and observed an open pit of burning solid waste. Upon completion of the December 28, 2012 inspection, the owner was told to cease the open burning and take the debris to the appropriate landfill.

Therefore, the owner(s)/operator(s) are in violation of the following:

1. **OAC 3745-27-05(C)** states in part, *"No person shall conduct, permit, or allow open dumping."*

Ohio Revised Code (ORC) 3734.03 states in part, *"No person shall dispose of solid wastes by open burning or open dumping...No person shall dispose of treated or untreated infectious waste by open burning or open dumping."*

OAC 3745-37-01(A) states in part, *"No person shall conduct municipal solid waste landfill, industrial solid waste landfill, residual solid waste landfill, compost facility, transfer facility, infectious waste treatment facility, or solid waste incineration facility operations without possessing a separate, valid license for each such operation, as required by Chapter 3734. of the Revised Code and the Administrative Code rules adopted thereunder. Each license shall be obtained from the board of health in the health district in which the facility is located, or by the director, if the director has assumed the licensing function for that health district."*

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The owner(s)/operator(s) failed to comply with the above-cited rules. Mr. Winslow, who admitted to burning the solid waste, admitted the intention of burning another pickup truck load full of solid waste. Therefore, Mr. Winslow is required to remove and properly dispose of all solid wastes (ash, burnt solid waste, etc.) at a licensed solid waste disposal facility and provide copies of the disposal receipts to Ohio EPA.

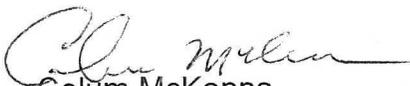
The owner(s)/operator(s) must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, the owner(s)/operator(s) are requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to colum.mckenna@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, the owner/operator is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

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 by telephone at (330) 963-1268 or by e-mail at colum.mckenna@epa.ohio.gov.

Sincerely,



Colum McKenna
Environmental Specialist
Division of Materials and Waste Management

cc: Dennis Moore, Conneaut City Police Department
Steve Lee, Conneaut City Fire Department
Sally Kennedy, Conneaut City Health Department
File: [Singh/COUN/City of Conneaut/GEN/04]
DMWM #None