



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

February 21, 2013

RE: **GALLIA COUNTY  
SITE-GEN**

Mr. Charles Miller  
P. O. Box 114  
Rio Grande, OH 45674

Dear Mr. Miller:

I am writing regarding dumping of assorted materials on property you own on Adamsville Road near the intersection with Jackson Pike. I have been informed by Barb Bradley of the Gallia County Health Department that conditions have not improved since I was initially there on December 14, 2012.

During my December 14 inspection of the property, I observed mixed solid waste in the midst of your clean hard fill material including remnants from several burn barrels, piles of hay, brush, and plastic pipe.

As stated in my Correspondence to you dated December 27, 2012, the only material you are authorized to accept at this location is clean hard fill as defined by The Ohio Administrative Code (OAC). Clean hard fill is defined as:

**OAC Rule 3745-400-05 (E)**- "Clean hard fill" means construction and demolition debris which consists only of reinforced or nonreinforced concrete, asphalt concrete, brick, block, tile, and/or stone which can be reutilized as construction material. Brick in clean hard fill includes but is not limited to refractory brick and mortar. Clean hard fill does not include materials contaminated with hazardous wastes, solid wastes, or infectious wastes.

The prohibited material at this location mentioned above is a violation of the following OAC Rule:

**OAC Rule 3745-27-05 (C)**- No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person(s) responsible for the open dumping, the owner of the property, or the person(s) who allow or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734 of the Revised Code, and shall submit verification that the solid waste has been properly managed.

I encourage you to take immediate action to address all violations at this location to avoid escalated enforcement by the Gallia County Health Department or the Gallia County court system. Additional action by Ohio EPA and the Ohio Attorney General is also a possibility if conditions persist at this location.

I encourage you to contact me at 740/380-5219 or Barb Bradley at the Gallia County Health Department at 740/441-2018 to discuss your intentions to address the violations that exist on your property. Either a representative from the health department or I could be available to meet you at your property to discuss Ohio EPA's expectations.

Sincerely,



Peter C. Thompson  
Division of Materials and Waste Management

PCT/mr

cc: Barb Bradley, Gallia County Health Department