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

February 22, 2013

RE: BELMONT COUNTY
SITE - GEN
COMP

Lucinda Maupin
4915 Jefferson St.
Bellaire, OH 43906

Re: Open Dumping, Belmont County, Franklin St.

Dear Ms. Maupin:

On January 23, 2013, the Ohio Environmental Protection Agency investigated a complaint concerning property owned by you in the Village of Bellaire, 3462 Franklin St., located in Belmont County, Ohio. The complaint alleged that demolition and debris and solid waste remains on the property from a demo project that occurred months ago. During my investigation, I observed a large quantity of solid waste, construction and demolition debris, on the above-mentioned property.

You are in violation of Ohio Revised Code (ORC) chapter 3734.03 and Ohio Administrative Code (OAC) 3745-27-05(C) and OAC Rule 3745-400-04(B).

ORC 3734.03 states in part:

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

OAC 3745-27-05(C) states:

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

OAC Rule 3745-400-04(B) states in part:

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

The solid waste and construction and demolition debris must be removed from the above-mentioned property and disposed of at either 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, Lucinda Maupin 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 Lucinda Maupin 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 Lucinda Maupin 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.

Sincerely,

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

EJ/mr