



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

April 24, 2013

**RE: ADAMS COUNTY  
SITE-GEN**

Eric Goldsmith  
6625 Roundhead Road  
New Vienna, Ohio 45159

Dear Mr. Goldsmith:

Ohio EPA has received a complaint of illegal disposal and open burning of solid waste at your property located at 1554 Greenbrier Road in Adams County. I conducted a site investigation of this property on April 9, 2013. The complainant alleged that a tire and trash fire became out of control and required the local fire department to extinguish it.

I found the complaint to be valid. During this investigation, I observed large piles of solid waste burned and partially burned dumped at multiple locations. One pile contained wire remnants of many burned scrap tires. Items dumped included, but were not limited to: cans, bottles, glass, plastic, car parts, household goods, and scrap tires. Approximately 2 – 3 acres of the surrounding area were burned by the fire. A previous investigation of open dumping and open burning at this property was documented in a notice of violation letter to you dated February 16, 2012.

Please be advised that open dumping and open burning of solid waste are violations of Ohio Revised Code (ORC) and Ohio Administrative Code (OAC). Specifically:

**Ohio Revised Code (ORC) Section 3734.03** - No person shall dispose of solid wastes by open dumping or open burning.

**Ohio Administrative Code (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 responsible for the open dumping, the owner of the property, or the person who allows 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.

You are in violation of these statutes. Open burning of solid waste is prohibited. Disposal of solid waste in this manner should cease. All material must be removed for proper disposal. The accumulated solid waste and any residual material from the burn

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piles should be legally disposed of at a licensed solid waste facility. Written receipts for all waste legally disposed should be obtained.

Please provide a copy of your disposal receipts to this office. Please respond in writing within 10 days receipt of this letter as to your intentions to address the violations that exist on your property. Should you have any questions regarding this letter, please feel free to contact me at (740) 380-5438.

Sincerely,



Daniel L. Bergert, R.S.  
Division of Materials and Waste Management

DB/mr

cc: Jason Work, R.S., Adams County Health Department  
Lisa Duvall, SEDO-DAPC