



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

May 21, 2013

**RE: BELMONT COUNTY
SITE - GENERAL**

Mr. Roger Garretson, MS
P.O. Box 29
Bellaire, OH 43906

Dear Mr. Garretson:

On May 06, 2013, Melody Stewart and I of the Ohio Environmental Protection Agency investigated a complaint concerning property owned by Bellaire Harbor. The complaint alleged that open dumping of solid waste around an ODOT culvert and onto the property located at 6350 Guernsey Street Bellaire, Belmont County. During our inspection we observed a large amount of solid waste and salt dumped along the drainage way on the north end of the property, which empties into the Ohio River.

Based on this inspection, this facility is in violation of Chapter 3734 and 6111. of the Ohio Revised Code (ORC) and the regulations promulgated thereunder, Chapter 3745. of the Ohio Administrative Code (OAC):

Solid waste violations:

(1) ORC 3734.03 states in part:

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

(2) ORC 6111.04 states in part:

No person shall cause pollution or place or cause to be placed any sewage, sludge, sludge materials, industrial waste, or other wastes in a location where they cause pollution of any waters of the state.

(3) OAC Rule 3745-27-05(C) states:

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

Within 14 days of receipt of this letter, Bellaire Harbor is requested to provide documentation to the Southeast District Office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance include written correspondence, updated policies and photographs, as appropriate and may be submitted via the postal service or electronically to erika.jackson@epa.state.oh.us.

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

If you have any questions, I may be contacted at 740-380-5228 or the e-mail address noted above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erika Jackson', with a long horizontal flourish extending to the right.

Erika Jackson
Environmental Specialist II
Division of Materials and Waste Management

EJ/mr