



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

May 13, 2013

Guernsey
RE: **HARRISON COUNTY
SITE - GENERAL**

Mr. Larry Mitchell
4531 Bloomfield Road
Cambridge, Ohio 43725

Dear Mr. Mitchell:

Please be advised that the Southeast District Office of the Ohio Environmental Protection Agency (EPA) received a complaint that open dumping of scrap tires may be occurring on property owned by you. The illegal dump site was alleged to be located on Manilla Road, in Guernsey County, Ohio.

In response to the complaint, I conducted an initial investigation on April 17, 2013, and spoke with your wife the same day regarding the open dump. During my investigation, I observed that the open dumping of waste was occurring on the piece of ground you own across from your shop on Manilla Road. At that time I attempted to make contact with you at your shop. I was unable to find you so a business card was left. Shortly after leaving the site I received a call from your wife who indicated that your intention was to remove all the waste and to take it to the Kimble Transfer facility.

In accordance with Ohio law, as the legal property owner, you are ultimately responsible for any illegal actions that take place on your property. This includes the cleanup of the above referenced illegal dump.

Please be advised that open dumping of solid waste is a violation of ORC Chapter 3734.03 and OAC Rule 3745-27-05(C). Specifically:

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.

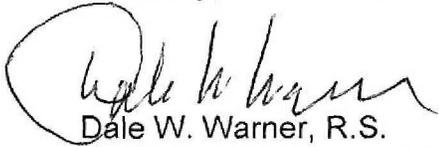
Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 (or 3714 for C&DD) of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to

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\$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, please submit written correspondence of the steps that will be taken by date certain to attain compliance. Please provide receipts and pictures to my attention at the Southeast District Office to verify that a cleanup has occurred. A re-inspection will occur in the near future.

Should you have any questions please feel free to contact me at 740-380-5435.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale W. Warner". The signature is written in a cursive style and is enclosed within a hand-drawn circle.

Dale W. Warner, R.S.
Environmental Specialist II
Division of Material and Waste Management

DW/mr