



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

August 5, 2013

RE: *Guernsey*
~~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) conducted a follow-up inspection of your property on Manilla Road on July 30, 2013. This follow-up inspection was the result of a notice of violation dated May 13, 2013, regarding open dumping.

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. At that time she indicated that the waste would be taken to the Kimble Transfer facility and followed up with receipts. During my follow-up inspection, I observed that the open dumping and open burning of waste was continuing to occur on the piece of ground you own across from your shop on Manilla Road. At the time of my inspection I viewed mattresses and other solid waste as well as evidence of open burning of mattresses and other waste. 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. All waste is to be properly disposed of at an approved disposal facility including the ash from the open burning.

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

OAC Rule 3745-27-05(B) - Prohibits the open burning of solid waste

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

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Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$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 cursive script, appearing to read "Dale W. Warner". The signature is written in black ink and is positioned above the typed name.

Dale W. Warner, R.S.

Environmental Specialist II

Division of Materials and Waste Management

DW/mr