



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

September 16, 2013

**RE: HARRISON COUNTY
SITE – GENERAL**

Mr. Paul L. Mills
107 N. Eastport Road
Scio, Ohio 43988

Dear Mr. Mills:

Please be advised that the Southeast District Office of the Ohio Environmental Protection Agency (EPA) received a complaint that open dumping of solid waste may be occurring on property owned by you based on a review of the legal records at the Harrison County Auditor Office. The complaint site is located at 107 N. Eastport Road, Scio, Ohio.

In response to the complaint, I conducted an initial investigation on August 13, 2013. During my investigation, I observed solid waste, construction debris and scrap tires open dumped on your property. 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). In addition, the illegal disposal of C&DD is a violation of Chapter 3714 of the ORC and Chapter 3745-400 of the OAC. Specifically: ORC Chapter 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

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.

OAC Rule 3745-400-04(D) - No person shall conduct or allow illegal disposal of construction and demolition debris.

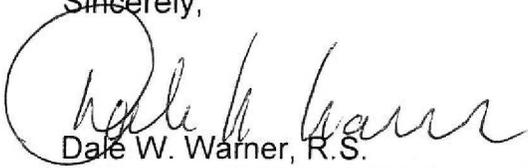
Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 (or 3714 for C&DD) of the Ohio

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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 contact me within 15 days at (740) 497-8227 to set up a site meeting to discuss the abatement of the violations of Ohio's solid waste regulations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale W. Warner". The signature is written in black ink and is partially enclosed by a circular stamp or mark on the left side.

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

DW/mr

cc: Harrison County Health Department