



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

August 7, 2013

RE: ROSS COUNTY  
SITE-GEN

Tim and Emma Shoemaker  
11270 State Route # 41S  
Greenfield, Ohio 45123

Dear Mr. & Mrs. Shoemaker:

Ohio EPA received a complaint of open burning of solid waste at your property located at 11268 State Route #41S in Ross County. I conducted a site investigation of this property on July 19, 2013. The complainant alleged that burning of solid waste occurs on a regular basis.

I found the complaint to be valid. During this investigation, I met with you both. You operate a small metal salvage business at this location. Although you admitted to some burning activity in the past, you stated no burning had taken place in the past two months. However, I observed a metal heating oil tank that appeared to be converted into an oversized burn barrel. The structure was filled with ash and partially burned solid waste and was still smoldering. Additionally, there was considerable amount of broken wood products and other solid waste piled along the front of the property.

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.

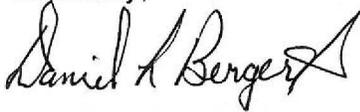
You are in violation of these statutes. Open burning of solid waste is prohibited. Disposal of solid waste in this manner should cease. All material must be removed for proper disposal. The accumulated solid waste and any residual material from the burn

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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.  
Environmental Specialist II  
Division of Materials and Waste Management

DB/mr

cc: Ross County Health Department  
cc: Lisa Duvall, SEDO-DAPC