



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

September 8, 2010

**CERTIFIED MAIL Requested**

Mr. Robert Raizk, Company President  
Wilmington Iron & Metal Company Inc.  
2149 US Route 68 South  
Wilmington, Ohio 45177

**Notice of Violation**

Dear Mr. Raizk:

On Sept. 7, 2010, an open burning complaint was filed with this agency, involving the open burning of wood and metal at Wilmington Iron & Metal Company, 2149 US Route 68 South, Wilmington, Ohio. During my investigation of that same date, you stated, an employee at your facility open burned a pile of mixed wood and metal to help reclaim the metal and that the fire was put out by the Wilmington Fire Department.

Please be aware that the use of fire for waste disposal purposes at your facility constitutes a violation of the Ohio Administrative Code (OAC) rule 3745-19-03(B)(2)(b).

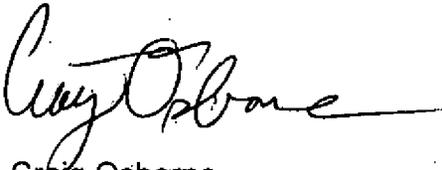
This office request that you and/or your staff submit a report detailing the steps that you and/or your staff have taken and/or will take to assure no future violations of the OAC open burning rule occur. During our discussion you informed me that your company has already established written operational procedures that will ensure no future violations. Please submit a copy of these new operational procedures with the above requested report. Please submit this report by October 12, 2010.

Please be aware that any future violations of the open burning regulation will initiate an Enforcement Action Referral (EAR) to be sent to our Central Office for further review and possible enforcement. The Ohio EPA reserves the right, pursuant to Chapters 3704, 3714, 3734, 3745, and 3750 of the Ohio Revised Code and any other applicable state or federal laws or regulations to seek civil and/or criminal action, reimbursement of response costs and any other appropriate legal or equitable relief for any violation of law.

Mr. Robert Raizk, Company President  
Wilmington Iron & Metal Company Inc.  
September 8, 2010  
Page 2

If you have any questions or comments, or wish to discuss this matter further, please feel free to contact me at (937) 285-6063.

Sincerely,



Craig Osborne  
Environmental Specialist  
Southwest District Office  
Division of Air Pollution Control

ec: Tom Schneider, Ohio EPA SWDO DAPC Supervisor;  
Brian Dickens, U.S. Region V, [dickens.brian@epa.gov](mailto:dickens.brian@epa.gov);  
John Paulian, CO/DAPC;  
Lisa Holscher U.S. EPA, Region V; and  
Craig Osborne, Ohio EPA SWDO DAPC

CO\bp