



State of Ohio Environmental Protection Agency

Southwest District Office

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Dayton, Ohio 45402

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korteski, Director

CERTIFIED MAIL

June 20, 2009

Mr. Jim Duff, President/CEO
Duff Quarry
9042 State Route 117
Box 305
Huntsville, Ohio 43324

NOTICE OF VIOLATION

Dear Mr. Duff:

The purpose of this letter is to inform you that the demolition and open burning of structures and/or waste material on the property, parcel 230480000038000, owned by Duff Quarry, Inc. at the intersection of State Route 33 and 274, near Huntsville, Ohio, constitute violations of Ohio Administrative Codes (OAC) air pollution rules.

OAC rule 3745-20-02 requires that:

"each owner or operator of any demolition or renovation operation shall have the affected facility or part of the facility where a demolition or renovation operation will occur thoroughly inspected by a certified asbestos hazard evaluation specialist...etc."

OAC rule 3745-20-03 requires that:

"Each owner or operator to whom this rule applies shall: (1) Provide the director of Ohio EPA with written notice of intention to demolish or renovate."

OAC rule 3745-19-03(B)(2)(b) prohibits the use of open burning for waste disposal purposes.

This office request that Duff Quarry, Inc. and/or your representatives submit a report to this office outlining the steps that have been and will be taken to ensure that the open burning was immediately stopped and the waste material is properly disposed of. This report shall be submitted to this office by August 14, 2009.

Please be aware that this complaint investigation will be sent to our Central Office for further review and enforcement. The Ohio EPA reserves the right, pursuant to Chapters

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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 past or future violation(s) of law.

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

cc: Huntsville Fire Department
SWDO/File
ec: Tom Schneider, SWDO DAPC
Monte Bluebaum, SWDO DSIWM
John Paulian, CO/DAPC
Lisa Holscher U.S. EPA, Region V
Craig Osborne, SWDO DAPC
Logan County Health District

CO/plh