



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

AUG 04 2009

CERTIFIED MAIL

Mr. Claude Heintz
United Tool and Machine, Inc.
490 N. Main Street
Lakeview, Ohio 43331

RECEIVED
OHIO EPA
AUG 10 2009
Southwest District

Re: Violation of OAC Chapter 3745-19 (Open Burning)

Dear Mr. Heintz:

My staff has informed me of the violations of Ohio Administrative Code ("OAC") Chapter 3745-19 (Open Burning) associated with the open burning of machining oil and wood pallets at your facility located at 490 N. Main Street in Lakeview.

On June 3, 2009, the Ohio Environmental Protection Agency ("Ohio EPA") received a complaint that open burning was being conducted at your facility. The complainant indicated that the open burning initially began on May 21, 2009. On June 5, 2009, Ohio EPA Southwest District Office conducted a complaint investigation and discovered a smoldering pile of ash that contained remnants of machining oils and wood pallets.

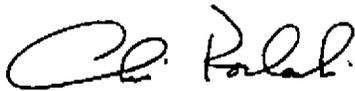
By burning wood pallets and machining oils in a restricted area, United Tool and Machine violated OAC Rule 3745-19-03 (A), which prohibits open burning of waste materials. Ohio EPA is aware that the Lakeview Fire Department initially gave permission to burn wood pallets; however, no permission was given to burn machining oils. Additionally, it was not within the authority of the Lakeview Fire Department to grant United Tool and Machine the authority to conduct open burning in a restricted area.

You are advised that if any additional violations of OAC Chapter 3745-19 occur as a result of activities conducted by United Tool and Machine, Ohio EPA will pursue enforcement action and can seek civil penalties pursuant to ORC § 3704.06. Ohio EPA also may refer such violations to the Ohio Attorney General's Office for appropriate legal action.

Should you have any questions concerning this matter, please contact either Steve Feldmann, Ohio EPA Staff Attorney, at (614) 644-3037, or Eric Yates, DAPC-Central Office, at (614) 644-3753.

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

Sincerely,



Chris Korleski
Director

CK/EY/ey

xc: Jim Orlemann, DAPC
John Paulian, DAPC
Eric Yates, DAPC
Steve Feldmann, Legal Office
Tom Schneider, SWDO
Lakeview Fire Department