



State of Ohio Environmental Protection Agency

Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (637)285-6357 FAX: (637)285-6249
www.epa.state.oh.us

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

January 16, 2008

CERTIFIED MAIL

Mr. Bruce Buckley
Buckley Brothers, Inc.
P.O. Box 845
320 East Main Street
Wilmington, Ohio 45177

NOTICE OF VIOLATION

Dear Mr. Buckley:

You are hereby notified that the Ohio Environmental Protection Agency (Ohio EPA) finds you to be in violation of state and federal regulations as they relate to demolition procedures for asbestos emission control as well as Ohio's open burning and solid waste regulations. In response to a complaint filed with the agency, it was determined that open burning of solid waste and other wastes occurred at your facility located at or near property owned by you at 1265 Antioch Road, New Antioch, Ohio.

The violations you have committed include, but are not limited to the following:

- The open burning of solid wastes, including solid wastes made from petroleum products including plastics, electrical boxes and wire insulation.
- The open burning of demolition debris, including treated lumber.

The above identified activities are in violation of Ohio Administrative Code (OAC) rule 3745-19-04, *Open burning in unrestricted areas*, and Ohio Revised Code (ORC) Section 3704.03. In addition, the open burning of solid waste is in violation of OAC rule 3745-27-05(B) and ORC Section 3734.03, and the open burning of demolition debris is in violation of OAC rule 3745-400-04 and ORC Section 3714.02.

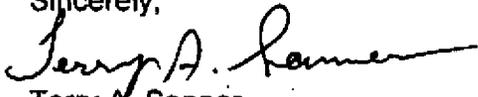
You must cease all illegal open burning.

Please be aware that this investigation will 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.

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If you have any questions or comments, or wish to discuss this matter further, please feel free to contact me at (937)285-6032.

Sincerely,



Terry A. Sanner
Environmental Specialist
Southwest District Office
Division of Air Pollution Control

cc: Assistant Chief Mark Wiswell, Wilmington Fire Department
Chief Johnson, Clinton Highland Joint Fire District
Matt Johannes, Clinton County Health District
John Paulian, CO/DAPC
Tracy Buchanan, SWDO/DSIWM
Maria Lammers, SWDO/DSIWM

TAS/mab