



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

December 20, 2007

Re: Athens County
Open Burning
Complaint 30000036

Certified: 70063450000190561843

Mr. Dan Baldwin
Quick Lube Oil Change
2 North Plains Road
The Plains, Ohio 45780-1046

Dear Mr. Baldwin:

I am writing this letter in response to a complaint received by this office on December 4, 2007. The complaint alleges that cardboard and other wastes from your business are being open burned at the Quick Lube Oil Change in The Plains.

On December 11, 2007, I investigated this complaint and spoke to two of your employees. They were not able to reach you by phone during my investigation. Evidence of the open burning of wood pallets, cardboard, and paper in a barrel next to the Quick Lube Oil Change was observed. I left my business card and a pamphlet that explains Ohio's open burning rules with your employees and asked them to have you call me.

A business cannot open burn any type of waste for disposal purposes. Open burning of this type is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a fine. If waste materials from your business continue to be open burned, legal action may be taken against you.

I am requesting a written response from you, within 10 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of the requirements specified in OAC rule 3745-19-03, a plan and schedule for cleanup of the burn area and any remaining solid wastes, and a copy of the landfill receipt as proof of proper disposal. Acceptance by Ohio EPA of a schedule for compliance does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

If you have any questions, please contact me at 740-380-5217.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

*12-26-07 - call from Mr Baldwin -
are cleaned up - no more burning*