



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 Korleski, Director

March 14, 2007

**RE: Jefferson County
Open Burning
Complaint #20070011
Notice of Violation
Certified: 70060100000356202877**

Mr. Ed Abdalla
A&S Salvage
P.O. Box 190
502 County Rd. 50A
Hammondsville, OH 43930

Dear Mr. Abdalla:

On January 19, 2007, Mr. Ken Mettler and I were investigating a complaint which alleged that A & S Salvage was open burning for the recovery of metal from scrap. At the time of the inspection, a car was on fire at your facility. You stated the car fire was an accident caused by a spark generated during the removal of the engine which ignited gasoline that had been dumped on the upholstery. You also stated it was not worth calling the fire department, as the car would burn out before the fire department could arrive. I requested you call the fire department anyway. The fire department did arrive before the fire had gone out.

The open burning of wastes containing plastics, rubber, grease, garbage, asphalt, plastic coated wires, or entire automobiles is not permitted in Ohio. Continuing to open burn any improper waste materials by you at this site is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. All open burning in violation of the requirements specified in OAC Chapter 3745-19 must stop immediately. Even if the fires are accidental, you must either put the fire out yourself or call the fire department, immediately.

By burning wastes from automobiles, especially upholstery and wires, you and anyone near the open burning site are exposed to toxic chemicals. The burning causes the waste materials to be reduced to small particulates and toxic gases that are released at ground level where they are breathed into the lungs of anyone near the burning site. The toxic air pollutants can be deposited onto lawns and gardens where people may come in contact with the pollutants. The pollutants can be washed into streams by rain. If you continue open burning improper waste materials on your property or fail to extinguish accidental fires, legal action will be taken against you.

I am requesting a written response from you within 30 days of receipt of this letter that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04 and a plan and schedule for extinguishing accidental fires. 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.

Mr. Ed Abdalla
A&S Salvage
March 14, 2007
Page 2

A copy of this letter is being forwarded to the local health department. The information within this letter can be evaluated by the local health department, and further investigation may be initiated if it appears rule violations within in their jurisdiction have occurred.

Enclosed is a copy of OAC Chapter 3745-19 (Open Burning Standards). Please contact me at (740) 380-5229 if you have any questions.

Sincerely,

Susan H. Clay
Environmental Specialist
Air Pollution Control

SHC/mlm

Enclosure

cc: The Jefferson County Health District
The Irondale Fire Department, P.O. Box 196 Irondale, Ohio 43932-0196
Mr. Ken Mettler, SIU-DERR