



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8601 FAX: (740) 385-6490
www.epa.state.oh.us

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

October 19, 2007

Re: Gallia County
Open Burning
Complaint

Certified: 70063450000190561379

Mr. Harley Eblins
50 Woods Mill Road
Bidwell, Ohio 45614-8902

Dear Mr. Eblins:

I am writing this letter in response to a complaint received by this office on September 28, 2007. The complaint alleges that you have a trash hauling business and are open burning the collected trash from your business at your home on Woods Mill Road, Bidwell.

On October 12, 2007, I investigated this complaint and spoke to your son. He told me that you burn cardboard and wood. A large pile of cardboard was observed during my inspection. You cannot open burn any type of wastes from your business for waste disposal purposes, including paper, cardboard, wood, etc.

Open burning of this type 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 rule 3745-19-04 must stop immediately. If you continue to open burn improper waste materials, legal action may be taken against you. I am enclosing a copy of this rule for you.

On October 12 and 16, 2007, you contacted me by phone and told me that you would not open burn again and that the cardboard pile would be taken to a landfill.

I am requesting a written response from you, within 14 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for clean up 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.

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

Mr. Harley Eblins
October 19, 2007
Page 2

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

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure

cc: The Gallia County Health Dept., 499 Jackson Pike, Gallipolis, Ohio 45631