



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

September 5, 2008

Re: Pike County
Open Burning

Certified: 70063450000190563151

Mr. Terry Robins
Ohio Valley Lumber
16523 State Route 124
Piketon, Ohio 45661-9728

Dear Mr. Robins:

On August 21, 2008, I observed a large saw dust fire at your lumber mill. You told me that it had caught fire a few days ago. The fire department had been out and advised you to make a fire break around the sawdust pile and let it burn out. The pile had burned down to about half its original size.

This fire needs to be extinguished as soon as possible by whatever means necessary. The open burning of wood wastes by a business is not permitted in Ohio. As the owner of the sawdust pile, it is Ohio Valley Lumber's responsibility to extinguish the fire. The pile is close enough to your office and lumber yard that someone could easily have seen the pile smoldering before the fire spread and grew. Every effort must be made to put this fire out and, in the future, the saw dust storage pile should be monitored so that this does not happen again.

Open burning of this type is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a maximum fine of up to \$25,000 per day per violation. I am enclosing a copy of this rule for you. If you continue to allow the open burning of materials from your lumber company, legal action may be taken against you.

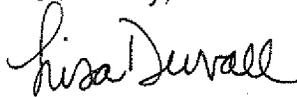
I am requesting a written response from you, within 7 days of receipt of this letter, that includes a plan and schedule for extinguishing this fire, preventing future fires, and clean up of the burn area and any remaining saw dust. Acceptance by Ohio EPA of a schedule for compliance does not constitute 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. Terry Robins
Ohio Valley Lumber
September 5, 2008
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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.

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 Pike County Health District