



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

April 24, 2007

Re: Pike County
Open Burning
Complaint 20070095

Certified: 70063450000190545522

Mr. Jon Miller
J & G Holdings
306 W. North St.
Waverly, OH 45690

Dear Mr. Miller:

I am writing this letter based upon a report from the Pike County General Health District (PCGHD), received by this office on March 8, 2007. The report states that on March 7, 2007, the PCGHD found multiple piles of trash and evidence of a burn pile. Copies of the pictures are included, for your information. While you stated to me that nothing had been burned at the site since last year, the pictures taken by PCDHD during their investigation indicate otherwise.

A business cannot open burn any type of waste for disposal purposes. Plastics, rubber, treated wood and garbage wastes cannot be open burned anywhere in Ohio. The wastes generated from J & G Holdings must be disposed of in a licenced landfill.

Open burning of these waste materials 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. 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 will be taken against you.

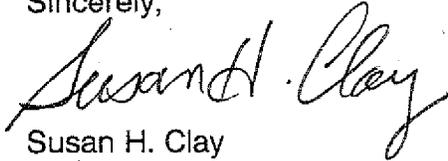
I am requesting a written response from you, within 14 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule to prevent the dumping and burning of wastes at this site and to clean up of any remaining solid wastes, 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 PCGHD and Ohio EPA's Division of Solid and Infectious Waste Management. The information in this letter will be evaluated and further investigation may be initiated if it appears violations within their jurisdictions have occurred.

Mr. Jon Miller
J & G Holdings
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If you have any questions, please contact me at this office at 740-380-5229.

Sincerely,

A handwritten signature in cursive script that reads "Susan H. Clay". The signature is written in black ink and is positioned above the typed name and title.

Susan H. Clay
Environmental Specialist
Division of Air Pollution Control

SC/mlm

cc: Dave Chenault, DSIWM/SEDO
cc: Pike County General Health District
cc: Waverly City Fire Department