



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 Korteski, Director

October 12, 2010

Re: Washington County
Open Burning

Certified: 70101060000178960392

Mr. Bruce Eddy
Double L Construction
9466 Dalzell Road
Lower Salem, Ohio 45745-8968

Dear Mr. Eddy:

On October 6, 2010, I observed a fire on State Route 821 in the area of Whipple. Upon investigation, I found that your company was remodeling a building and burning wood and vinyl from the remodeling job. As I explained at that time, a business cannot open burn any type of waste for disposal purposes. Plastics, vinyl and demolition wastes cannot be open burned anywhere in Ohio.

Open burning of improper waste materials at this location 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 on this job site or any other, legal action will be taken against Double L Construction.

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 the 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 regarding this matter, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

