

Re: Open Burning Complaint
Seneca County
Notice of Violation

February 8, 2008

Certified Mail 7006 3450 0001 0661 3390

Mr. Dan Davidson
Davidson Trucking, Inc.
1227 Bowling Green Road
Bradner, Ohio 43406

Dear Mr. Davidson:

On January 31, 2008, this writer witnessed a pile of debris burning just behind your company's building. While speaking to you that morning, you stated that it was only paper and that you had told the person not to burn but he did anyway. By means of this letter we hope to inform you of the seriousness of open burning, and inform you that open burning is a strictly regulated activity in Ohio, regulated pursuant to Ohio Administrative Code 3745-19 (copy enclosed).

Mr. Davidson, Davidson Trucking, Inc. has been found in violation of OAC 3745-19-04(A): ***"No person or property owner shall cause or allow open burning in an unrestricted area except as provided in paragraph (B) to (C) of this rule or in section 3704.11 of the Revised Code."*** Open burning as conducted on January 31, 2008 is not provided for in these rules.

At this time, we ask that you submit a written response to the Ohio EPA regarding this incident, your understanding of the regulations and what measures will be taken to prevent any further violations. Your response should be received by this Agency by February 22, 2008.

Please be advised that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC Section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

Keep in mind that penalties of up to \$25,000 could be assessed.

If you have any questions concerning this letter or the regulations, please call me at (419)373-3120.

Sincerely,

Joseph L. Grob
Environmental Specialist 3
Division of Air Pollution Control

Jcs

Enclosure

pc: Wood County Health Department
Lisa Holscher, U.S. EPA, Region V
Tom Kalman, DAPC, CO
Tom Sattler, Supervisor, DAPC, NWDO
DAPC, NWDO File
NWDO Follow-up File
ec: Joe Grob, DAPC, NWDO