



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

October 17, 2008

Re: Ross County
Open Burning

Mr. Floyd Clifford, Jr.
5088 Liberty Hill road
Chillicothe, Ohio 45601

Dear Mr. Clifford, Jr.:

On September 7, 2008, Mr. Mike Sherron with the Ohio EPA Southeast District Office, Division of Emergency of Remedial Response, observed the open burning of a mobile home on River Road, Chillicothe. Upon investigation, he learned that the property was owned by Mr. John Molnar. You were on site burning the trailer and salvaging the scrap metal. Mr. Don Davis of Buckeye Transport had advised you that you could burn the mobile home.

On October 2, 2008, I investigated this complaint. Evidence of the open burning of a mobile home was observed.

Mobile homes, plastics, demolition wastes, buildings, tires, vinyl siding, or any type of waste generated by a business cannot be open burned for disposal purposes anywhere in Ohio. 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. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. I am enclosing a copy of this rule for you. If you continue to open burn improper waste materials on this property or any other property, legal action may be taken against you.

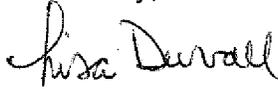
I am requesting a written response from you, within 7 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for clean up of the burn area and any remaining solid wastes, and a copy of the landfill receipt as proof 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.

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Please contact me at 740-380-5217 as soon as possible so that we can discuss this matter.

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 Ross County Health District, 475 Western Ave., Suite A, Chillicothe, Ohio 45601
cc: Mike Sherron, SEDO-DERR