



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Allen County
Open Burning Complaint

Notice of Violation

December 17, 2008

CERTIFIED MAIL
7002 2410 0003 1155 8720

Mr. Micah Hollinger
6025 Palmer Drive
Lima, Ohio 45801

Dear Mr. Hollinger:

On December 4, 2008 this office received a report from the Allen County Health Department concerning open burning brush and wood demolition debris being conducted at your recycling facility at 1596 Neubrecht Road. This report also contained pictures that made it very clear what was occurring. Keep in mind that your business is not allowed to burn anything for disposal.

Based on this report, there is sufficient evidence to determine that illegal open burning did occur. This is a 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 paragraphs (B) to (C) of this rule or in section 3704.11 of the revised code." Open burning as you have conducted is not provided for in these rules. A copy of the OAC rules pertaining to open burning has been enclosed for your review.

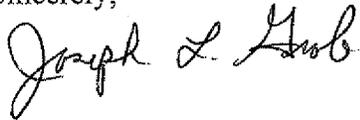
Please submit a written response to Ohio EPA, Northwest District Office indicating your understanding of the regulations and your commitment that no future illegal open burning will occur. Your response should be received by this agency no later than **December 31, 2008**.

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

Mr. Micah Hollinger
December 17, 2008
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If you have any questions concerning this letter or the regulations, please call me at (419) 373-3120 or e-mail at joe.grob@epa.state.oh.us.

Sincerely,



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

/csl

Enclosure

pc: Lisa Holscher, U.S. EPA Region V
Tom Kalman, DAPC - CO
Don Waltermeyer, DAPC - NWDO
Tom Sattler, DAPC - NWDO
Allen County Health Department
Brent Goetz, DSIWM - NWDO

ec: Joe Grob

**OHIO ENVIRONMENTAL PROTECTION AGENCY
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED
NWDO	Allen	12-4-08	12-4-08
TYPE TELEPHONE <input type="checkbox"/> AIR VISIT <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> HPF LETTER <input type="checkbox"/> PARTICULATE <input type="checkbox"/> DCN <input type="checkbox"/> ODOR <input type="checkbox"/> E-MAIL <input type="checkbox"/> FUGITIVE DUST <input type="checkbox"/> OTHER <input checked="" type="checkbox"/> OPEN BURNING <input checked="" type="checkbox"/> OTHER		COMPLAINANT: (NAME, ADDRESS, PHONE #) Bill Kelly - Allen HD and Brent Goetz – NWDO - DSIWM ANONYMOUS: <input type="checkbox"/> IF YES THIS BOX SHOULD BE LEFT BLANK SUSPECTED SOURCE OF EMISSIONS: Micah Hollinger 6025 Palmer Drive Lima, Ohio 45801	
STATEMENT OF COMPLAINANT: OB brush and wood demolition debris at is recycling operation at 1596 Neubrecht Rd. Pictures taken by Brent Goetz. HD and Goetz would like an NOV sent at this time. No EAR because of working relationship with DWIWM and HD. Also Brent thinks \$1000 would break him.			
STATEMENT OF SOURCE OPERATOR:			
FINDINGS: JUSTIFIED <input checked="" type="checkbox"/> NOT JUSTIFIED <input type="checkbox"/> CANNOT BE DETERMINED <input type="checkbox"/>			
RECOMMENDATIONS:		DATE OF WRITTEN FOLLOW UP: <u>12-17-08</u>	
NOV			
CORRECTIVE ACTION AGREED TO BY SOURCE:			
COMMENTS:			

INVESTIGATOR(S): ig

DATE RESOLVED: 12-17-08

From: Brent Goetz
To: Grob, Joe
Date: 12/4/2008 8:00 AM
Subject: Re: Micah Hollinger
Attachments: HPIM0228.jpg; HPIM0229.jpg; HPIM0230.jpg; HPIM0231.jpg; HPIM0232.jpg; HPIM0233.jpg; HPIM0236.jpg

Attached are some photos, I will bring you a copy of Bill's NOV letter.

>>> Joe Grob 12/3/2008 4:28 PM >>>

Bill Kelly of Allen HD said you have information for me on this guy. Yes ?













