



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Henry County
Open Burning Complaint
Notice of Violation

May 24, 2011

CERTIFIED MAIL

Mr. Chris Bonner, Manager
Gerald Grain Center
20758 U. S. Highway 6
Napoleon, Ohio 43545

Dear Mr. Bonner:

This office received a complaint on May 18, 2011, concerning open burning being conducted on your property. My investigation, conducted on May 20, 2011, shows two metal tanks are commonly used to burn seed bags, feed bags and cardboard products for disposal purposes.

Based on these findings, there is sufficient evidence to determine that illegal open burning did occur and the complaint is justified. This is a violation of OAC rule 3745-19-04(A). A copy of the OAC rules pertaining to open burning has been enclosed for your review. This office would also suggest the removal of the metal tanks used for burning from the property as to reduce or eliminate the possibility of misinterpreting past violations as new violations.

Please provide a written response acknowledging your receipt of this letter and your understanding of the rules. If you do not understand the rules please contact this office for additional explanation before responding. Your response is requested no later than June 8, 2011.

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. Chris Bonner, Manager
May 24, 2011
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If you have any questions concerning this letter or the regulations, please feel free to call me at (419) 373-3137 or e-mail at thomas.cikotte@epa.state.oh.us.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/llr

Enclosure

pc: Henry County Health Department
Certified Mail Receipt Number 7009 1410 0001 1840 2697

ec: William MacDowell, U.S. EPA Region V
Tom Kalman, DAPC - CO
Tom Sattler, DAPC - NWDO
Thomas C. Cikotte, DAPC - NWDO

**OHIO ENVIRONMENTAL PROTECTION AGENCY
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED
NWDO	Henry	5.18.11	5.20.11
<u>TYPE</u>	<u>AIR</u>		
TELEPHONE <u>X</u>	INDUSTRIAL <u> </u>	HPF	COMPLAINANT: Darwin F. Beck, Manager Ridgeville Elevator, Inc. 20903 U.S. Route 6 P.O. Box 27 Ridgeville Corners, Ohio 43555 419.267.5101
VISIT <u> </u>	PARTICULATE <u> </u>		SUSPECTED SOURCE OF EMISSIONS: Chris Bonner, Manager Gerald Grain Center 20758 US Hwy 6 Napoleon, OH 43545 419.267.3315 Actually in Ridgeville Corners, Ohio 43555
LETTER <u> </u>	ODOR <u> </u>		
DCN <u> </u>	FUGITIVE DUST <u> </u>		
E-MAIL <u> </u>	OPEN BURNING <u>X</u>		
OTHER <u> </u>	OTHER <u> </u>		
STATEMENT OF COMPLAINANT: Mr. Beck said that Gerald Grain Elevator, across the street, is burning something. And they shouldn't be allowed to burn, just like no one else in the area is allowed to.			
STATEMENT OF SOURCE OPERATOR: Admits that they burn but only burn seed bags, feed bags and cardboard. They use two old tanks to burn in, one of which is mostly enclosed with a stack.			
FINDINGS: JUSTIFIED <u> X</u> NOT JUSTIFIED <u> </u> CANNOT BE DETERMINED <u> </u>			
RECOMMENDATIONS: NOV		DATE OF WRITTEN FOLLOW UP <u> </u> <u>5.23.11</u>	
CORRECTIVE ACTION AGREED TO BY SOURCE: Will stop burning.			
COMMENTS: Note: Mr. Beck's elevator was found burning by Wendy and I on 5.16.11 Two metal tanks used to burn in. Evidence of cardboard and ash found in both. Fresh cardboard found in open top tank. Suggest removal of tanks in NOV.			

INVESTIGATOR(S): TCC

DATE RESOLVED: 5.23.11



