



Environmental
Protection Agency

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

CERTIFIED MAIL # 91 7108 2133 3932 4449 1097

June 21, 2011

NOTICE OF VIOLATION

Ermal Smith
Smithco Equipment Co.
7271 National Road
Pataskala, OH 43062

Dear Mr. Smith:

This letter confirms my visit to your facility on June 17, 2011 wherein I observed that you were open burning in violation of Ohio Administrative Code rule 3745-19. These actions are subject to fines and penalties.

Specifically, at 7271 National Road, Pataskala, Ohio, you were open burning pallets and plastic materials. Additionally, this open burning was occurring within 1,000 feet from the nearest inhabited building off said premises. Your employee claimed that they had a pleasure fire. However, the fire was approximately 8 feet across and pleasure fires are limited to 3 feet in diameter by 2 feet high fuel area.

We are noting that we sent you a Notice of Violation for a similar occurrence on May 22, 2009.

This letter is not a final action of the Director of Ohio EPA and is intended only as a notification of a violation of the Ohio environmental laws and regulations. It does not preclude Ohio EPA or any other governmental entity from further enforcement action.

Should you have any questions, please do not hesitate to call me at (614) 728-3808.

Sincerely,

David Burroughs
Environmental Specialist
Division of Air Pollution Control
Central District Office

c: John Singleton, West Licking Joint Fire District
Randy Thorp, Sheriff of Licking County
Adam Ward, DAPC/CDO

DB/ct smithco7271national

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