



March 26, 2013

Re: Pike County  
Open Burning  
Complaint 30002735

**Certified: 70122920000138146000**

Mr. Anthony Barker  
Barker's Recycling  
4024 Bobo Road  
Beaver, Ohio 45613

Dear Mr. Barker:

I am writing this letter in response to a complaint received by this office March 15, 2013. The complaint alleges that on March 15, 2013, there were two fires burning at your facility.

On March 21, 2013, I investigated this complaint and spoke to you. A trailer and/or camper had been demolished at your facility and wood and other wastes had been burned. Evidence of the open burning of wood, plastics, demolition wastes, metal and other solid waste materials was observed on the ground. There is also a square metal dumpster next to the scales where office trash, garbage and other wastes were burned. As I explained at that time, plastics, garbage, demolition wastes, furniture, etc. cannot be open burned anywhere in Ohio. A business cannot open burn any type of waste for disposal purposes, this includes paper, wood, etc.

Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. I am enclosing a copy of this rule for you. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If you continue to open burn improper waste materials at this location or any other location in Ohio, legal action will be taken against you.

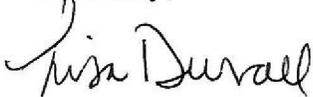
Please provide a written response, within 14 days of receipt of this letter, which includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for cleanup of the burn area and any remaining solid waste materials, and a copy of the landfill receipt as proof of proper disposal. Acceptance by the 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

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pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

If you have any questions regarding this matter, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,

A handwritten signature in black ink that reads "Lisa Duvall". The signature is written in a cursive style with a large initial "L".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/cs

Enclosure