



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

April 25, 2007

Re: Monroe County
Open Burning
Complaint 20070123

Certified: 70063450000190545621

Mr. Willie Miller
33044 Miltonsburg Calais Rd
Woodsfield, Ohio 43793-9012

Dear Mr. Miller:

I am writing this letter in response to a complaint received by this office on April 4, 2007. The complaint alleges that you are open burning scrap wood from your sawmill at 33044 Miltonsburg Calais Road, Woodsfield.

On April 20, 2007, I investigated this complaint and spoke to you. Wood slabs were being open burned behind your sawmill at the time of my investigation. A business cannot open burn for waste disposal purposes. The wood slabs and sawdust must be properly disposed. You told me that you would take care of this problem. There are several options for disposing of the wood wastes from a sawmill. These include selling or giving the waste materials away for fire wood, campfire wood, chipping or mulching material, and the sawdust can be used for animal bedding. These waste materials may also be taken to a licensed landfill. It is your responsibility as the owner/operator of the mill to properly dispose of the wastes generated from your business.

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 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, legal action may be taken against you.

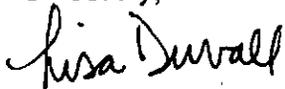
I am requesting a written response from you within 30 days of receipt of this letter that includes a commitment from you to stop open burning in violation of the requirements specified in OAC rule 3745-19-04, a plan and schedule for clean up of the burn area and any remaining solid wastes, a plan for proper handling of future wastes generated by your sawmill, and a copy of the landfill receipt as proof of proper disposal if these materials are disposed of in a landfill. 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.

Mr. Willie Miller
April 26, 2007
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A copy of this letter is being forwarded to Ohio EPA's Division of Solid and Infectious Waste Management (DSIWM). The information in this letter will be evaluated by DSIWM and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

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

Sincerely,



Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

enclosure

cc: Dave Chenault, DSIWM/SEDO