



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

August 31, 2010

RE: Washington County  
Wetz Companies  
Notice of Violation  
Open Burning

**Certified: 70101060000178960071**

Evan Wetz  
Wetz Companies  
1300 Blue Knob Road  
Marietta, OH 45750

Dear Mr. Wetz:

On August 25, 2010, I witnessed and documented the open burning of pallets at the Wetz Companies' warehousing facility on Blue Knob Road in Marietta, Ohio. From speaking with you on August 25, 2010, it was determined that the illegal open burning was being conducted by employees of the Wetz Companies' warehousing facility.

The open burning of pallets for waste disposal purposes at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a maximum fine of up to \$25,000 per day per violation. All open burning in violation of the requirements specified in OAC rule 3745-19-03 must stop immediately. As the owner/operator of the facility, you are responsible for any illegal burning that occurs at your facility. If you continue to open burn or allow the open burning of improper waste materials on this property, legal action will be taken against you.

Open burning of this type is prohibited due to the adverse health impacts to people, especially children and the elderly, who may have breathing problems such as asthma, allergies or emphysema. Open burning adversely impacts the ambient air quality by emitting air pollution at ground level where people are immediately exposed to the pollutants.

I am requesting a written response from you, within 14 days of receipt of this letter, that includes the following:

- a commitment from you to stop open burning in violation of OAC rule 3745-19-03;
- a plan and schedule for cleanup of the burn area and any remaining solid wastes;

- a copy of records from the pallet manufacturer stating that the pallets are not chemically treated; 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 pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

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.

Please feel free to contact me at (740) 380-5223 if you have any questions regarding this matter.

Sincerely,



Christina Wieg  
Environmental Specialist III  
Division of Air Pollution Control

CW/mlm

cc: Rich Fox/Steve Rine, DSIWM/SEDO  
Tom Kalman, DAPC/CO  
Bruce D. Weinberg, DAPC/SEDO



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

September 28, 2010

Re: Washington County  
Wetz Companies  
Acceptance of Compliance Plan  
Open Burning  
**Certified #70101060000178960262**

Evan Wetz  
Wetz Companies  
1300 Blue Knob Road  
Marietta, OH 45750

**Subject: Acceptance of Wetz Companies' Plan and Schedule to Return to Compliance**

Dear Mr. Wetz:

On August 25, 2010, I witnessed and documented the open burning of pallets at the Wetz Companies' warehousing facility on Blue Knob Road in Marietta, Ohio. You were informed of this violation in a letter from me dated August 31, 2010. In the letter, I requested that you respond within 14 days and provide a written commitment to stop open burning and a plan and schedule for cleanup of the burn area and remaining solid waste. In addition, I also requested a copy of records from the pallet manufacturer stating that the pallets are not chemically treated and a copy of the landfill receipt as proof of proper disposal.

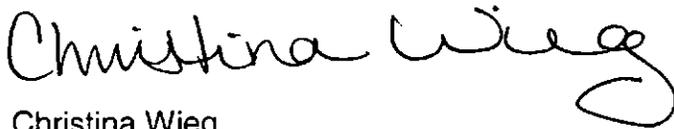
I received the requested written response from you on September 15, 2010 which included a commitment to not open burn in violation of OAC rule 3745-19-03 as well as a record from the pallet manufacture indicating that the pallets were heat-treated. In an email dated September 23, 2010, I received the requested receipt as proof of proper disposal.

The Ohio EPA accepts Wetz Companies' plan and schedule as submitted. Acceptance by the Ohio EPA of a schedule for compliance does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.6 of the Ohio Revised Code. The determination to pursue or to decline such penalties in this case will be made at a later date.

Evan Wetz  
Wetz Companies  
September 28, 2010  
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If you have any questions, feel free to contact me at (740) 380-5223 or email [christina.wieg@epa.state.oh.us](mailto:christina.wieg@epa.state.oh.us).

Sincerely,

A handwritten signature in black ink that reads "Christina Wieg". The signature is written in a cursive style with a large, looping "g" at the end.

Christina Wieg  
Environmental Specialist III  
Division of Air Pollution Control  
Southeast District Office

CW/mlm

cc: Rich Fox/Steve Rine, DSIWM/SEDO  
Tom Kalman, DAPC/CO  
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