



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

June 12, 2013

Re: Hocking County  
Open Burning  
Complaint 30002833

**Certified: 70122920000138146369**

Mr. Mark Francis and Mr. Jeff Shaben  
Starr Parts and Equipment  
A Subsidiary of Company Wrench  
38105 State Route 56  
New Plymouth, Ohio 45654

Dear Mr. Francis and Mr. Shaben:

I am writing this letter in response to a complaint received by this office May 14, 2013. The complaint alleges that a house that served as an office for Starr Parts and Equipment was burned down.

Fire reports from the Starr Township Volunteer Fire Department state that on September 6, 2012, the fire department responded to a fire at Starr Parts and Equipment. Tires, rubber and fiberglass were being burned. On May 13, 2013, the fire department responded to another fire at Starr Equipment. The old house that has been used as an office for Starr Parts and Equipment was burned down to make room for a new building. The building was a wood frame structure approximately 30 feet by 40 feet in dimension.

On May 20, 2013, I investigated this complaint and met with you. Evidence of the open burning of the house was observed. As I explained at that time, a business cannot burn any type of waste for disposal purposes. Tires, rubber, fiberglass, buildings, demolition and/or construction wastes cannot be open burned anywhere in Ohio.

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 maximum fine of up to \$25,000 per day per violation. 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.

I am requesting a written response from you, 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 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.

Mark Francis and Jeff Shaben  
Starr Pars and Equipment, Open Burning  
June 12, 2013  
Page 2

The determination to 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" and "D".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/cs

Enclosure