



Environmental  
Protection Agency

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

Re: Marion County  
Open Burning Complaint  
Notice of Violation

January 9, 2012

CERTIFIED MAIL

John & Tammy Weaver  
Property owners  
8932 Caledonia Bellville  
Galion, Ohio 44833

Dear Mr. & Mrs. Weaver:

This office received a complaint on December 30, 2011, concerning open burning being conducted on your property. My investigation, conducted on January 4, 2012, shows a barrel had been used to burn paper and cardboard products for disposal within 1000' of adjacent residences in an unrestricted area. It also appears that another open burn site was also used on the ground near the barrel.

Based on these findings, there is sufficient evidence to determine that illegal open burning did occur and the complaint is justified. This is a violation of OAC rule 3745-19-04(A).

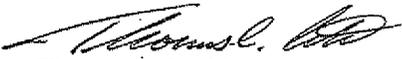
A copy of the OAC rules pertaining to open burning has been enclosed for your review. Please provide a written response acknowledging your receipt of this letter and your understanding of the rules. If you do not understand the rules please contact this office for additional explanation before responding. Your response is requested no later than January 25, 2012. This office would also suggest the removal of the metal barrel used for burning from the property as to reduce or eliminate the possibility of misinterpreting past violations as new violations.

Please be advised that the submission of information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code Section 3704.06. The Ohio EPA will make a decision whether to pursue such penalties regarding this matter at a later date.

John & Tammy Weaver  
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If you have any questions concerning this letter or the regulations, please feel free to call me at (419) 373-3137 or e-mail at [thomas.cikotte@epa.state.oh.us](mailto:thomas.cikotte@epa.state.oh.us).

Sincerely,



Thomas C. Cikotte  
Division of Air Pollution Control

/llr

Enclosure

pc: Jared Boger, Marion County Health Department  
Thomas C. Cikotte, DAPC – NWDO  
Certified Mail Receipt Number 7009 1410 0001 1843 7811

ec: William MacDowell, U.S. EPA Region V  
Tom Kalman, DAPC - CO  
Tom Sattler, DAPC - NWDO  
Thomas C. Cikotte, DAPC – NWDO