



**Environmental  
Protection Agency**

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

Re: Paulding County  
Open Burning Complaint  
**Notice of Violation**

January 18, 2012

CERTIFIED MAIL

Mr. Steve Miller  
S&P Miller Excavating  
17628 Road 111  
Paulding, Ohio 45879

Dear Mr. Wolford:

This office received a complaint on January 9, 2012, concerning open burning being conducted at 5616 US Route 127 in Haviland, Ohio. My investigation, conducted on January 12, 2012, shows you were contracted by John Wolford of F.H. Williamson Farms, Inc., to demolish, burn and bury a barn on the property for disposal purposes. Either in the process of the demolition or prior to that, approximately 30 tires of varying size were also burned for disposal.

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).

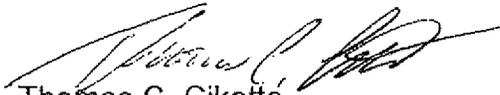
A copy of the OAC rules pertaining to open burning has been enclosed for your review. Please provide a written response acknowledging your receipt of this letter and your understanding of the rules. If you do not understand the rules please contact this office for additional explanation before responding. Your response is requested no later than February 3, 2012.

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.

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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: Paulding County Health Department  
Thomas C. Cikotte, DAPC – NWDO  
Certified Mail Receipt Number 7009 1410 0001 1834 1422

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