





**Environmental  
Protection Agency**

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

Re: Mercer County  
Open Burning Complaint  
David Bruns-Bruns Building Supply  
Notice of Violation

January 20, 2012

Mr. David Bruns  
c/o Bruns Building Supply  
1429 Cranberry Road,  
St. Henry, Ohio 45883

Dear Mr. Bruns:

On January 18, 2012, while investigating another environmental issue, I observed dark smoke emanating from an industrial property owned by Sandusky Investments, LTD. on Sycamore Street in Coldwater, Ohio. Upon arrival I observed you to be tending a fire used to melt insulation off of wiring. The area of the burn was located south and west of the paved area of the aforementioned property. At that time, you stated that the wiring was removed from the building on Sandusky Investment property during renovation activities.

Based on my findings, there is sufficient evidence to determine that illegal open burning did occur. This is a violation of Ohio Administrative Code 3745-19-03(A) which states, "No person or property owner shall cause or allow open burning in a Restricted Area except as provided in paragraphs (B) to (D) of this rule or in section 3704.11 of the revised code.". Open burning is also a violation of OAC Rule 3745-27-05(B) and of Ohio Revised Code 3704.05 and ORC 3734.03.

When I met with you at the site, you were provided with a copy of OAC Rule 3745-19-01 through-06 and a copy of Ohio EPA pamphlet titled, "*Before You Light It...*". A pile of demolition debris was observed in the field, south of where the open burning activity was taking place. Be advised that Ohio laws prohibit the burning of that pile of debris. It must be disposed of at a licensed solid waste or Construction and Demolition Debris landfill.

Please submit a written response to Ohio EPA, Northwest District Office indicating your understanding of the regulations and your commitment that no future illegal open burning will occur. Your response should be received by this agency no later than 14 days after receiving this correspondence.

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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.

If you have any questions concerning this letter or the open burning regulations, please call Mr. Tom Cikotte at (419) 373-3137. Written correspondence should be sent to Ohio EPA/Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402, in my care.

Sincerely,



Derek Hassinger  
Environmental Specialist II  
Office of Special Investigations

/llr

pc: Tom Cikotte, DAPC - NWDO  
Mercer County Health Department