





Environmental
Protection Agency

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

Re: Wood County
Open Burning Complaint
Notice of Violation

February 7, 2012

CERTIFIED MAIL

Mr. Doug Amos
Amos Tree Service
#5 Old Coach Road
Bowling Green, Ohio 43402

Dear Mr. Amos:

This office received a complaint on February 1, 2012, concerning open burning being conducted on property you rent or lease from ABP, Ltd (Wood County parcel #132-410-010000003000). My investigation, conducted on February 2, 2012, shows, per your admission, that old wood, unusable to wood burning stoves, was burned for disposal purposes within 1000' of adjacent inhabited structures in a restricted area.

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 3745-19-03(A). To be clear, commercial businesses of this type are not permitted to burn any material for disposal, anywhere in Ohio, without written permission from Ohio EPA.

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 22, 2012. A similar letter and the OAC rules are also being sent to Brett palmer of ABP, Ltd., because he, as the property owner, may be ultimately be held liable for current and future 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.

Mr. Doug Amos
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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.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/lr

Enclosure

pc: Wood County Health Department
Thomas C. Cikotte, DAPC – NWDO
Certified Mail Receipt Number 7009 1680 0002 4297 2667

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