



**Environmental
Protection Agency**

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

Re: Huron County
Open Burning Complaint
**Notice of Violation (NOV) &
Return to Compliance (RTC)**

February 22, 2012

CERTIFIED MAIL

Mr. Ken Laird, Property Tenant
Laird Marine & Manufacturing
5390 Fremont Road
Port Clinton, Ohio 43452

Dear Mr. Laird:

This office received a complaint on February 15, 2012, concerning open burning being conducted on your property. My investigation, conducted on February 17, 2012, shows, per your admission, that freshly cut brush was burned for disposal purposes within 1000' of adjacent inhabited structures in an unrestricted area.

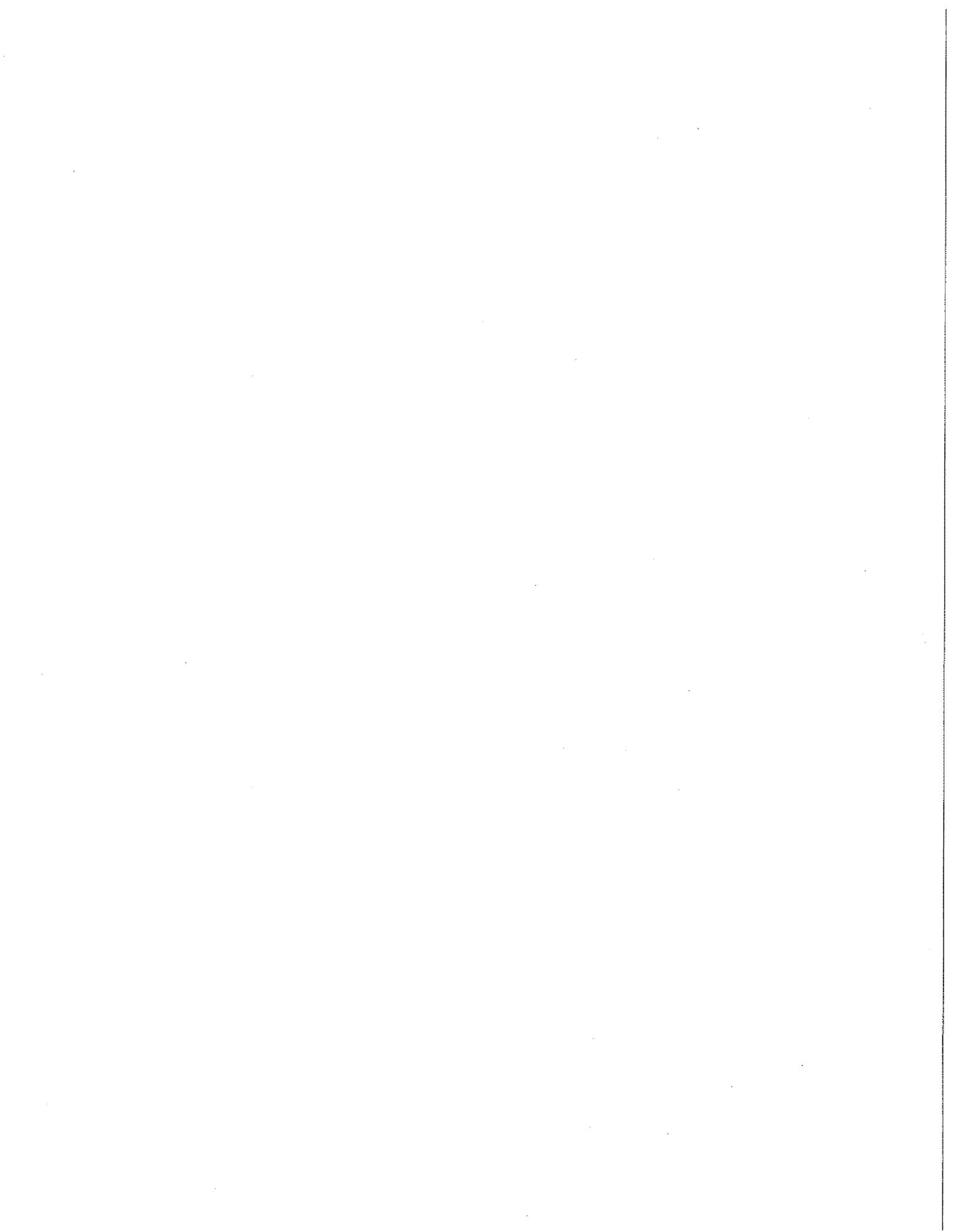
Based on these findings, there is sufficient evidence to determine that illegal open burning did occur and the complaint is justified. This is a violation of OAC rule 3745-19-04(A).

This is the second violation of the Ohio's open burning violations that has been documented by this agency on the property. Be aware that future violations of Ohio's open burning rules may result in this office recommending elevated enforcement, which would include, but is not limited to, a fine, as described in OAC rule 3745-19-06(A).

A copy of the OAC rules pertaining to open burning has again 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 March 9, 2012.

Because the fire has been extinguished, you are no longer in violation and the property is considered to have returned to compliance.

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.



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The Ohio EPA will make a decision whether to pursue such penalties regarding this matter at a later date. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is your future compliance with applicable Ohio EPA requirements.

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

/llr

Enclosure

pc: Ottawa County Health Department
Thomas C. Cikotte, DAPC – NWDO
Certified Mail Receipt Number 7009 1410 0001 1843 7866

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

