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State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

February 21, 2007

RE: OPEN BURNING VIOLATION  
NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. Don Mohr  
1113 South 12<sup>th</sup> Street  
Beloit, Ohio 44609

Dear Mr. Mohr:

Ohio EPA has received complaints regarding open burning occurring on your property at 1113 South 12<sup>th</sup> Street in Beloit, Ohio. On November 8, 2006, I investigated the complaints and found evidence of open burning on the property. Previously, on September 29, 2005, I investigated a complaint and found evidence of open burning on the property. At that time, a violation letter was sent to you on October 21, 2005.

The purpose of this letter is to advise you of Ohio Administrative Code (OAC) rule 3745-19-04, which prohibits open burning of materials for waste disposal purposes in unrestricted areas. Furthermore, Section 3704.99 of the Ohio Revised Code (ORC), provides a penalty of up to twenty-five thousand dollars (\$25,000) and/or up to one year imprisonment for conviction of violating the Open Burning Regulations. Each day's violation, after a conviction, constitutes a separate offense and will be subject to the penalties as mentioned above.

It is the responsibility of businesses and property owners to see that no illegal open burning is conducted on their property. Therefore, any further burning must cease immediately upon receipt of this letter.

At this time, Ohio EPA, Northeast District Office, has no alternative than to refer this matter to our legal staff in Columbus for appropriate action.

Should you have any questions regarding this letter, please contact me at (330) 963-1287.

Respectfully,

Darren J. Machuga  
District Representative  
Division of Air Pollution Control

DJM:bo

pc: Dennis Bush, Ohio EPA, NEDO, DAPC  
Jennifer Kurko, Ohio EPA, NEDO, DAPC  
Bob Princic, Ohio EPA, NEDO, DAPC  
Tom Kaiman, Ohio EPA, Central Office, DAPC  
Lisa Holscher, U.S. EPA, Region 5