



**Environmental
Protection Agency**

John Kasich, Governor
Mark DeWine, Lt. Governor
Scott Pruitt, Director

October 3, 2011

RE: WAYNE COUNTY
OPEN BURNING

Mr. Frederick Celetti
P.O. Box 3
Doylestown, Ohio 44230

Dear Mr. Celetti:

The open burning which was conducted at 12777 Calaboone Dr., Chippewa Twp., Ohio is in violation of Ohio's air pollution regulations and prompt action needs to be taken.

Cease Burning

Immediately cease all burning for waste disposal purposes and find an alternate means of disposal.

On September 19, 2011, this office received a "fire incident report" from the Chippewa Township Fire Department stating that illegal open burning had occurred at your residence on September 18, 2011.

Please be advised that OAC Rule 3745-19-04, "Open burning in unrestricted areas" states, in part, "No person shall **cause** or **allow** illegal open burning." Open burning for waste disposal purposes is strictly prohibited.

Bonfires, campfires, cooking for food, pleasure, religious, ceremonial, warmth or recreational fires can be legally conducted if the following conditions are met:

- 1). *The fires are fueled with clean seasoned firewood;*
- 2). *The fires are not used for waste disposal purposes;*
- 3). *The fires shall have a total fuel area of **three (3) feet** or less in diameter and **two (2) feet** or less in height.*

Please be advised of OAC Rule 3745-19-06, "Open Burning Unilateral Order," which authorizes the Director to assess and collect administrative penalties of not more than two hundred-fifty dollars (**\$250.00**) per day for each separate violation of open burning. In addition, Section 3704.06 of the Ohio Revised Code, authorizes the Attorney General to seek penalties of up to twenty-five thousand dollars (\$25,000) 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.

MR. FREDERICK CELETTI
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Finally, be aware that this letter in no way waives the right of the Ohio EPA to pursue additional enforcement action. If further violations are reported to this office, we will have no alternative than to refer this matter to our legal staff in Columbus for appropriate action. We hope that voluntary compliance will be forthcoming and that this action will not be necessary.

If you have any questions, please contact me at (330) 963-1209.

Sincerely,



Frank Elchesen
District Representative
Division of Air Pollution Control

FE:bo

pc: Chippewa Twp. Fire Dept.