



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

April 23, 2010

RE: WAYNE COUNTY
OPEN BURNING

CERTIFIED MAIL

Mr. Mike Bolen
6891 TR 452
Loudenville, OH 44842

Dear Mr. Bolen:

The open burning which you are conducting at Ramsier Motors located at 11441 Cleveland Road, Creston, 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 April 22, 2010, this office received "incident reports" from the Canaan Twp. Fire Department stating that illegal open burning had occurred at 11441 Cleveland Road, Creston, Ohio on February 4, 2010, April 18, 2010 and April 21, 2010. The burning consisted of wood, brush, automotive parts and plastics. Open burning for waste disposal purposes is strictly prohibited.

Therefore, you are hereby being notified that the open burning which took place on the property of Ramsier Motor's was in violation of OAC Rule 3745-19-04, "Open burning in unrestricted areas" that states in part, "No person shall **cause** or **allow** illegal open burning." Ramsier Motors, as property owner is also subject to the penalties below.

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 one thousand dollars (**\$1,000.00**) 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. MIKE BOLEN
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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: Ramsier Motors
Chad Flickinger
Bob Princic, Ohio EPA, NEDO, DAPC