



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

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

May 20, 2010

RE: HOLMES COUNTY  
OPEN BURNING

CERTIFIED MAIL

Mr. Lee Jackson  
8740 SR 83  
Holmesville, OH 44633

Ms. Lynette Green  
7818 TR 562  
Holmesville, OH 44633

Dear Ms. Green and Mr. Jackson:

The open burning which was conducted at 8740 SR 83, Holmesville, 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 May 19, 2010, this office received a "fire incident report" from the Prairie Twp. Fire Department stating that illegal open burning had occurred at 8740 SR 83, Holmesville, Ohio on May 10, 2010. The burning consisted of grass, wood and tires. Open burning for waste disposal purposes is strictly prohibited.

Therefore, you are hereby being notified that the open burning which took place on May 10, 2010, is a 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." Ms. Green, 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 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. LEE JACKSON AND  
MS. LYNETTE GREEN  
MAY 21, 2010  
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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: Prairie Twp. Vol. Fire Dept.  
Bob Prinic, Ohio EPA, NEDO, DAPC