



**Environmental
Protection Agency**

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

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

April 19, 2012

CERTIFIED MAIL

Robert & Jane Sparks
Property Owners
21160 State Route 12
Fostoria, Ohio 44830

Dear Mr. & Mrs. Sparks:

This office received a complaint on April 13, 2012, concerning open burning being conducted on your property. My investigation, conducted on April 16, 2012, shows a fire occurred on April 7, 2012, which you contend was of unknown origin. In the fire a pile containing the following materials were burned: treated telephone poles; construction and demolition debris from the old water park which was on site; railroad ties; a wheel barrow with small 2 tires; a TV; PVC pipe; vinyl siding; steel cans; aluminum cans; aerosol cans, and; shingles. Another burn site, approximately 8' in diameter, was found on site where you acknowledged you burned the following materials for disposal purposes: brush, vinyl siding, miscellaneous metal parts, cardboard and dimensional lumber.

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 both Ohio Administrative Code (OAC) rule 3745-19-04(A) and Ohio Revised Code (ORC) 3704.05.

A copy of the OAC rules pertaining to open burning has 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 May 4, 2012.

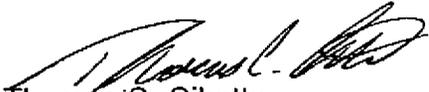
Because the fire has been extinguished, you are no longer in violation and the property is considered to have returned to compliance.

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

/cg

Enclosure

pc: Hancock County Health Department
Thomas C. Cikotte, DAPC – NWDO
Certified Mail Receipt Number 70091410000118438917

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