



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, Ohio 43402

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Laura H. Powell, Acting Director

Re: Open Burning Complaint
Ashland County

January 19, 2007

CERTIFIED MAIL

Mr. Lester Penner
2231 State Route 60
Loudonville, Ohio 44842

Dear Mr. Penner:

The office has received a complaint concerning open burning of plastic tarps on your property. This complaint was substantiated upon my visit on January 5, 2007. On this day, no one was home for me to talk to, but from Township Road 585, I could see a large burn pile containing plastic, paint cans and other debris on your property. By means of this letter we hope to inform you of the seriousness of open burning, and inform you that open burning is a strictly regulated activity in Ohio, regulated pursuant to Ohio Administrative Code 3745-19 (copy enclosed).

Mr. Penner, you have been found in violation of OAC 3745-19.

At this time, we ask that you submit a written response to the Ohio EPA, regarding this complaint, your understanding of the regulations, and what measures will be taken to prevent any further violations. Your response should be received by this Agency by February 2, 2007.

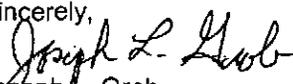
Should we get another substantiated complaint about open burning in the future, we may seek enforcement of the regulations.

Please be advised that the submission of information to respond to this letter does not constitute waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC Section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

Keep in mind that penalties of up to \$25,000 could be assessed.

If you have any questions concerning this letter or the regulations, please call me at (419) 373-3120.

Sincerely,


Joseph L. Grob
Environmental Specialist 3
Division of Air Pollution Control

/llr

Enclosure

pc: Ashland County Health Department
Lisa Holscher, U.S. EPA, Region V
Tom Kalman, DAPC, CO
DAPC, NWDO
NWDO Follow-up File
Tom Sattler, DAPC, NWDO

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p><i>DATE - 2/26</i></p> <p><i>MR. LESTER PENNER</i> <i>2231 STATE ROUTE 60</i> <i>Loudonville, OH 44842</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7005 1160 0002 4565 9423</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

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Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees \$		

Sent To *MR. LESTER PENNER*

Street, Apt. No., or PO Box No. *2231 STATE ROUTE 60*

City, State, ZIP+4 *Loudonville, OH 44842*

PS Form 3800, June 2002 See Reverse for Instructions

