



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

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www.epa.state.oh.us

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

Re: Open Burning Complaint
Ashland County

February 8, 2007

Certified Mail

Mr. Eugene Michowka
1133 County Road 251
Polk, Ohio 44866

Dear Mr. Michowka:

This office has received three reports from the Polk, Jackson, Perry Fire Department concerning open burning trash, tires, wire 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. Michowka 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 these reports; 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 23, 2007.

Should we get another report 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

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Enclosure

pc: Ashland County Health Department
Lisa Holscher, U.S. EPA, Region V
Tom Kalman, DAPC, CO
Tom Sattler
~~DAPC, NWDO File~~
NWDO Follow-Up File
7005 1160 0002 4566 0351