



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

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

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

Re: Crawford County
Open Burning Violation

Notice of Violation

April 8, 2008

CERTIFIED MAIL
7006 0100 0003 7708 5626

Mr. Chuck Pfeifer, Owner
Pfeifer Farms
2348 Shafer Rd.
Bucyrus, Ohio 44820

Dear Mr. Pfeifer:

On April 2, 2008, this office observed open burning being conducted on your property. Based on our observations the following items were being burned: A large section of a structure (approximately 8'x10') made of dimensional lumber, construction and demolition debris including tar paper and shingles, several pieces of sheet metal, pieces of metal siding, several metal lids to 5-gallon pails, a metal 5-gallon pail, trash, plastic bottles, cardboard boxes, tree limbs and brush. This burning was being conducted in an unrestricted area is a violation of the following rules in the Ohio Administrative Code (OAC): 3745-19-04(B)(3)(c) for burning within 1000 feet of a residence not located on the property; 3745-19-04(B)(3)(d) for not having wastes stacked properly, and; 3745-19-04(B)(3)(e) for burning materials which contain plastic and/or asphalt.

A copy of the OAC rules pertaining to open burning has been enclosed. Please submit a written response to Ohio EPA indicating your understanding of the regulations and your commitment that illegal open burning will not occur in the future. Your response should be received by this agency no later than April 22, 2008.

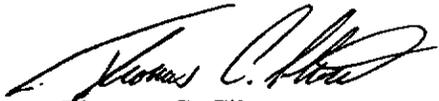
Also, in response your expressed concern over Ohio EPA staff entering private property, please find enclosed Ohio Revised Code 3704.03(L) which addresses this issue.

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. The Ohio EPA will make a decision whether to pursue such penalties regarding this matter at a later date.

Mr. Chuck Pfeifer
April 8, 2008
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If you have any questions concerning this letter or the regulations, please call me at (419) 373-3137.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/csl

Enclosure

pc: Lisa Holscher, U.S. EPA Region V
Tom Kalman, DAPC - CO
Don Waltermeyer, DAPC - NWDO
Tom Sattler, DAPC - NWDO
Thomas C. Cikotte, DAPC - NWDO