



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: Open Burning Complaint
Hardin County
Notice of Violation

April 15, 2008

Certified Mail 7006 3450 0001 0661 2881

Mr. Ken Allsup
AP Wood Products
15790 State Route 31
Kenton, Ohio 43326

Dear Mr. Allsup:

This office has received a complaint concerning open burning of wood debris on your company's property. This complaint was substantiated upon my visit on April 1, 2008. 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 (OAC) 3745-19 (copy enclosed).

Mr. Allsup, AP Wood Products has been found in violation of OAC 3745-19-04(A): **"No person or property owner shall cause or allow open burning in an unrestricted area except as provided in paragraph (B) to (C) of this rule or in Section 3704.11 of the Revised Code."** Open burning as conducted by AP Wood Products is not provided for in these rules.

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 April 28, 2008.

Please be advised that the submission of information to respond to this letter does not constitute a 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

/cs
Enclosure

pc: Hardin County Health Department
Lisa Holscher, U.S. EPA, Region V
Tom Kalman, DAPC, CO
Tom Sattler, Supervisor, DAPC, NWDO
DAPC; NWDO File
ec: Joe Grob, DAPC, NWDO