



State of Ohio Environmental Protection Agency

Northwest District Office

5.7.08
650608 Drake
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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

May 7, 2008

CERTIFIED MAIL

Mr. Thomas Drake
4070 County Road 10
Ada, Ohio 45810

Dear Mr. Drake:

This office has received a complaint concerning open burning of chicken manure on your property. This complaint was substantiated upon my visit on May 1, 2008, during which I noticed other material that had been disposed of by burning within 1000 feet of your neighbors homes. 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. Drake, you have been found in violation of OAC 3745-19-04 (B)(3)(c), "the fire is located at a point on the premises no less than 1000 feet from any inhabited building not located on said premises".

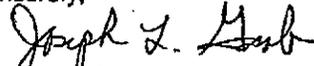
At this time, we ask that you submit a written response to the Ohio EPA regarding this report, your understanding of the regulations and what measures will be taken to prevent any further violations. Your response should be received by this Agency by May 20, 2008.

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
Air Pollution Control

/lir

Enclosure

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