



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
Huron County
Notice of Violation

May 1, 2008

CERTIFIED MAIL

Mr. Pat Riley
Pat Riley Excavating
2095 Old State Road
Norwalk, Ohio 44857

Dear Mr. Riley:

This office has received a complaint concerning open burning of commercial debris that was hauled on to your property. This complaint was substantiated upon my visit and our conversation on April 24, 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 3745-19 (copy enclosed).

Mr. Riley, Pat Riley Excavating 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 yourself 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 May 16, 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

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Enclosure

pc: Huron County Health Department
Lisa Holscher, U.S. EPA, Region V
Tom Kalman, DAPC, CO
Tom Sattler, Supervisor

← DAPC, NWDO →
ec: Joe Grob, DAPC, NWDO