



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.usTed Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, DirectorRe: Open Burning Complaint
Ottawa County
Notice of Violation

May 20, 2008

Certified Mail 7006 0100 0004 1318 3187

Mr. Kenny DeSelms
5618 North Lickert-Harder Road
Oak Harbor, Ohio 43449

Dear Mr. DeSelms:

This office has received a complaint concerning open burning on your property. This complaint was substantiated upon my visit on May 13, 2008, during which I discussed the violation with your son, Kyle. 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. DeSelms, as the property owner, you have 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 on your property 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 June 2, 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: Ottawa 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