



Environmental  
Protection Agency

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

Re: Wyandot County  
Open Burning Complaint  
Notice of Violation

October 12, 2011

CERTIFIED MAIL

Hope & Abigail Hurt  
Property Owners  
1715 Newell Street  
Findlay, Ohio 45840

Dear Mss. Hurt:

This office received a complaint on September 30, 2011, concerning open burning being conducted on property for which you are the registered owner; Wyandot County parcel # 34-0660-0400, which is North of US 30 and East of Schoenberger Cemetery. My investigation, conducted on October 6, 2011, shows the following materials were burned for disposal: construction and demolition debris, shingles, a small fire resistant safe, aluminum cans, roofing materials, 1-2 tires, misc. metal parts and misc. automotive parts. The Wharton Fire department reports that this is at least the third time they have responded to fires at this location

Based on these findings, there is sufficient evidence to determine that illegal open burning did occur and the complaint is justified. This is a violation of Ohio Administrative Code (OAC) rule 3745-19-04(A). A copy of the OAC rules pertaining to open burning has been enclosed for your review because you, as the property owners, may be held liable for current and future violations. It is ultimately your responsibility to ensure that future violations do not occur on your property.

Please provide a written response acknowledging your receipt of this letter and your understanding of the rules. If you do not understand the rules please contact this office for additional explanation before responding. Your response is requested no later than October 27, 2011.

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.

Hope & Abigail Hurt  
October 12, 2011  
Page 2

If you have any questions concerning this letter or the regulations, please feel free to call me at (419) 373-3137 or e-mail at [thomas.cikotte@epa.state.oh.us](mailto:thomas.cikotte@epa.state.oh.us).

Sincerely,



Thomas C. Cikotte  
Division of Air Pollution Control

/lr

Enclosure

pc: Wyandot County Health Department  
Thomas C. Cikotte, DAPC – NWDO  
Certified Mail Receipt Number 7009 1410 0001 1834 1644

ec: William MacDowell, U.S. EPA Region V  
Tom Kalman, DAPC - CO  
Tom Sattler, DAPC - NWDO  
Thomas C. Cikotte, DAPC – NWDO