



Environmental  
Protection Agency

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

Re: Wood County  
Open Burning Complaint  
**Notice of Violation**

October 21, 2011

CERTIFIED MAIL

Ms. Dalia Almaguer  
Property Resident  
Lawndale Mobile Home Plaza  
13590 Center Street  
Lot 143  
Weston, Ohio 43569

Dear Ms. Almaguer:

This office received a complaint on October 14, 2011, concerning open burning being conducted at your residence of Lawndale Mobile Home Plaza, 13590 Center Street, Lot 143, Weston, Ohio 43569. An investigation conducted by Wendy Licht of this office on October 14, 2011, shows the following materials were burned for disposal purposes, within 1000' of adjacent residences in a restricted area: wood furniture, VCR tapes, copper wire, shingles and possibly house hold trash.

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 OAC rule 3745-19-03(A). A copy of the OAC rules pertaining to open burning has been enclosed for your review. A similar letter and the OAC rules are also being sent to Windle Properties LLC because, as the property owner, Windle Properties may ultimately be held liable for current and future violations.

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 November 18, 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.

Ms. Dalia Almaguer  
October 21, 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

/llr

Enclosure

pc: Wood County Health Department  
Thomas C. Cikotte, DAPC – NWDO  
Certified Mail Receipt Number 7009 1410 0001 1834 1767

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