



Environmental
Protection Agency

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

Re: Marion County
Open Burning Complaint
Notice of Violation

November 16, 2011

CERTIFIED MAIL

Mr. Chip Kepford
Ridgedale Land Company
Kepford Farms Inc.
2160 Marseilles Galion Road East
Marion, Ohio 43302

Dear Mr. Kepford:

This office received a complaint on November 7, 2011, concerning open burning being conducted on property which is owned by the Ridgedale Land Company (RLC) and Kepford Farms Inc. (Kepford). The property in question was later identified as Marion County parcel #9-026000.0200. My investigation, conducted on November 8, 2011, shows approximately 22 acres of moderately wooded property was cleared for additional agricultural development. The material was cleared and pushed into wind rows, allowed to dry and then burned. Some of the rows were pushed into piles to continue to burn and one row remained unburned. In the piles and one of the partial rows, there were many pieces of agricultural fencing, metal fence posts and evidence of 20-22 tires. Several of the burn sites were within 1000' of adjacent residences and all burn sites are located in an unrestricted area.

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 3745-19-04(A). A copy of the OAC rules pertaining to open burning has been enclosed for your review.

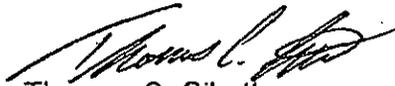
Please provide a written response acknowledging your receipt of this letter and your understanding of the rules. If you do not understand the rules please contact this office for additional explanation before responding. Your response is requested no later than December 2, 2011.

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.

Mr. Chip Kepford
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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.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/llr

Enclosure

pc: Marion County Health Department
Thomas C. Cikotte, DAPC – NWDO
Certified Mail Receipt Number 7009 1410 0001 1834 0173

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