



Environmental
Protection Agency

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

Re: Putnam County
Kalida Fish & Game
Notice of Violation

May 17, 2011

Certified Mail 7009 1410 0001 1840 1911

Mr. Gary Krouse
Kalida Fish & Game
16415 State Route 694
P.O. Box 554
Kalida, Ohio 45853

Dear Mr. Krouse:

On May 3, 2011, while traveling east on State Route 694, I, representing the Ohio Environmental Protection Agency (Ohio EPA), observed illegal open burning taking place on property located to the north of State Route 694. Also present were Tyler Madeker with the Ohio EPA and Kurt Schroeder with the Putnam County Health Department.

The property was an unoccupied property that contained a large barn, and was directly adjacent north of Kalida Fish & Game. I stopped at Kalida Fish & Game in an attempt to determine the ownership of the property, at which time I spoke with Dave Schinemoeller, who informed me that the property was owned by Kalida Fish & Game. Mr. Schinemoeller indicated that he had started the fire and the purpose of the fire was to dispose of cardboard boxes and Construction and Demolition Debris (C&DD) that was left over from a remodeling project. I informed Mr. Schinemoeller of the State of Ohio's open burning regulations and that burning such material was a violation of the regulations. I then asked for permission to access the property in order to observe the material that was being burnt, Mr. Schinemoeller complied granting me access. Once on the property an observation of the materials being burnt could be made. Based on my observation cardboard boxes, various C&DD, and a **minimum of three tires** were being burnt.

Notice of Violation of Ohio Laws and Rules

Ohio Revised Code (ORC) Section 3734.03 states, "No person shall dispose of solid waste by open burning or open dumping, except as authorized by the director of environmental protection in rules adopted in accordance with division (V) of section 3734.01, section 3734.02, or sections 3734.70 to 3734.73 of the Revised Code and except for burying or burning the body of a dead animal as authorized by section 941.14 of the Revised Code. No person shall dispose of treated or untreated infectious waste by open burning or open dumping."

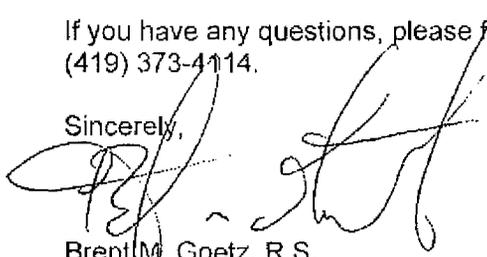
By disposing of solid waste by open burning and/or burying you are in violation of ORC 3734.03.

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You must cease disposing of solid waste by burning and/or burying immediately; **failure to do so may result in escalated enforcement action.** Additionally, all ash and residual **burnt material** generated from the May 3, 2011, incident must be removed and properly disposed of at a municipal solid waste landfill.

If you have any questions, please feel free to contact me at Ohio EPA, Northwest District Office (419) 373-4114.

Sincerely,



Brent M. Goetz, R.S.
Environmental Specialist
Division of Materials and Waste Management

/cs

pc: File:DMWM-SW; Putnam County, Tires

ec: Mike Reiser, NWDO, DMWM
Tom Cikotte, NWDO, DAPC