



Environmental
Protection Agency

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

July 9, 2012

CERTIFIED MAIL

Mr. Daryl Black
C/O Blackhawk Grill
11543 OH-365
Lakeview, Ohio 43331

NOTICE OF VIOLATION

Dear Mr. Black:

You are hereby notified that the Ohio Environmental Protection Agency (Ohio EPA) finds you to be in violation of Ohio's open burning and solid waste regulations. In response to a complaint filed with the Agency, it was determined that open burning of solid waste and other wastes occurred at property owned by you at 11543 OH-365 in Lakeview, Ohio.

The violations you have committed include, but are not limited to the following:

- The open burning of solid wastes, including solid wastes made from petroleum products including plastic.
- The open burning of treated wood.
- Open burning in a restricted area within 1000 feet of an occupied dwelling.

The above identified activities are in violation of Ohio Administrative Code (OAC) Rule 3745-19-04; *Open burning in unrestricted areas*, and Ohio Revised Code (ORC) Section 3704.03. In addition, the open burning of solid waste is in violation of OAC Rule 3745-27-05(B) and ORC Section 3734.03, and the open burning of demolition debris is in violation of OAC Rule 3745-400-04 and ORC Section 3714.02.

You must cease all illegal open burning.

This matter will be sent to our central office for further review and possible enforcement action. Ohio EPA reserves the right, pursuant to Chapters 3704, 3714, 3734, 3745 and 3750 of the Ohio Revised Code and any other applicable state or federal laws or regulations to seek civil and/or criminal action, reimbursement of response costs and any other appropriate legal or equitable relief for any violation of law.

Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

937 | 285 6357
937 | 285 6249 (fax)
www.epa.ohio.gov

Mr. Daryl Black
C/O Blackhawk Grill
July 9, 2012
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If you have any questions or comments, or wish to discuss this matter further, please feel free to contact me at (937) 285-6032.

Sincerely,

A handwritten signature in cursive script that reads "Terry A. Sanner".

Terry A. Sanner
Environmental Specialist
Division of Air Pollution Control

TAS/ff

ec: Tom Schneider, DAPC, SWDO
William MacDowell, U.S. EPA, Region 5
Tom Kalman, DAPC, CO
Chief, Lakeview Fire Department

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MR DARYL BLACK
 C/O BLACKHAWK GRILL
 11543 OH - 365
 LAKEVIEW, OH 43331

PS Form 3800, August 2001 See reverse for instructions

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:

MR DARYL BLACK
 C/O BLACKHAWK GRILL
 11543 OH - 365
 LAKEVIEW, OH 43331

2. Article Number
 (Transfer from service label)

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PS Form 3811, August 2001

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