



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Rd.  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.ohio.gov

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

Re: Crawford County  
Open Burning Complaint

**Notice of Violation**

April 13, 2010

CERTIFIED MAIL

Ms. Bonita Crowell  
Property Owner  
2939 Knauss Road  
Bucyrus, Ohio 44820

Dear Ms. Crowell:

This office received a complaint on March 31, 2010, concerning open burning being conducted at 2939 Knauss Rd. in Bucyrus, Ohio. I investigated the complaint on April 6, 2010. My investigation shows that several burn sites currently exist on the property.

Behind a barn I observed, at a minimum, three active burn barrels (three 55 gallon drums). There were also two larger metal tanks tipped upside down where I could not determine if burning occurred. The 55-gallon drums all contained remnants from the burning of household trash with plastics (metal cans, pieces of aluminum foil, plastic bar and chain oil containers, etc.). Immediately to the left of the barrels was a pile of melted plastic pieces which, from my experience, is consistent with the remnants of a plastic barrel or 5 gallon pails that had been burned. Just left of that was a burn site approximately 4' in diameter which contained the remnants of salvaged wood that was burned for disposal. To the right of the barrels were several piles/bundles of copper wire, one of which had been burned, assumingly, to remove the plastic coating and improve scrap value. These burn sites are all within 1000' of an adjacent residence in an "unrestricted area".

Based on my 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). Evidence shows that a Mr. Al Brice also uses this address as a mailing address and operates a barn demolition and salvage operation at the property. While it is believed that the violations listed above are related to Mr. Brice and his business, you, as the registered property owner, may be ultimately be held legally liable for current and future violations at this location. A copy of the OAC rules pertaining to open burning has been enclosed for your review.

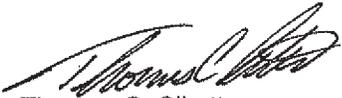
Please submit a written response to Ohio EPA, Northwest District Office indicating your understanding of the regulations and your commitment that no future illegal open burning will occur on your property. Your response should be received by this agency no later than April 28, 2010.

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. Bonita Crowell  
April 12, 2010  
Page Two

If you have any questions concerning this letter or the regulations, I can be reached by calling (419) 373-3137 or via 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

/lb

Enclosure

pc: Thomas C. Cikotte, DAPC -- NWDO  
Crawford County Health Dept.  
7006 0100 0004 1318 4535

ec: Lisa Holscher, U.S. EPA Region V  
Tom Kalman, DAPC - CO  
Don Waltermeyer, DAPC - NWDO  
Tom Sattler, DAPC - NWDO

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Division of Air Pollution Control

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***Enclosure***

pc: Thomas C. Cikotte, DAPC – NWDO  
Crawford County Health Dept.  
ec: Lisa Holscher, U.S. EPA Region V  
Tom Kalman, DAPC - CO  
Don Waltermeyer, DAPC - NWDO  
Tom Sattler, DAPC - NWDO

**OHIO ENVIRONMENTAL PROTECTION AGENCY  
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED
NWDO	Seneca	3.31.10	4.6.10
<b>TYPE</b>	<b>AIR</b>		<b>COMPLAINANT: Anonymous</b>
TELEPHONE <input checked="" type="checkbox"/>	INDUSTRIAL <input type="checkbox"/>	HPF	<b>SUSPECTED SOURCE OF EMISSIONS:</b>  Al Brice 2939 Knauss Rd. Bucyrus, OH 44820 419.563.9166  <b>Property Owner:</b> Ms. Bonita Crowell 2939 Knauss Rd. Bucyrus, OH 44820
VISIT <input type="checkbox"/>	PARTICULATE <input type="checkbox"/>		
LETTER <input type="checkbox"/>	ODOR <input type="checkbox"/>		
DCN <input type="checkbox"/>	FUGITIVE DUST <input type="checkbox"/>		
E-MAIL <input type="checkbox"/>	OPEN BURNING <input checked="" type="checkbox"/>		
OTHER <input type="checkbox"/>	OTHER <input type="checkbox"/>		
<b>STATEMENT OF COMPLAINANT: left on my voice mail on 3.31.10, while I was in the field. "I'm calling about 2939 Knauss Rd. in Bucyrus, OH. I think there is some illegal open dumping and illegal open burning that is going on there. I think someone should look into it. Thanks."</b>			
<b>STATEMENT OF SOURCE OPERATOR: None. No one home at time of inspection.</b>			
<b>FINDINGS: JUSTIFIED <input checked="" type="checkbox"/> NOT JUSTIFIED <input type="checkbox"/> CANNOT BE DETERMINED <input type="checkbox"/></b>			
<b>RECOMMENDATIONS: NOV, EAR</b>		<b>DATE OF WRITTEN FOLLOW UP: 4.8.10</b>	
<b>CORRECTIVE ACTION AGREED TO BY SOURCE: Mr. Brice was found in violation of OB in July 2009. At that time he verbally committed to not burning anymore.</b>			
<b>COMMENTS: If memory is correct, this is the mailing address for Al Brice.</b>			
While in route to this complaint I observed a fire being conducted by Al Brice's demolition crew. <b>See the complaint for Mark &amp; Catherine Boedeker.</b>			
This is the property of Al Brice, as provided by Mr. Brice in a similar complaint regarding Mr. Brice conducting a similar burn on behalf of Susan Good, outside Bellevue, Ohio. Mr. Brice was sent a NOV and a copy of the rules at that time. He responded in writing and committed to "no more burning".			
While on site I observed one area with several burn sites. Behind a barn I observed five burn barrels (three 55 gal and two larger metal tanks with an end cut off and tipped upside down). The right side up barrels all contained evidence of household trash with plastics being burned as well as metal cans, aluminum foil and bar and chain oil containers. Immediately to the left of the barrels was a pile of melted plastic pieces. From my experience it was consistent with a melted plastic barrel or melted 5 gal pails that had pooled in a puddle when being burned. Farther to the left of the barrels was burn site approximately 4' in diameter where evidence of ends of salvaged wood was burned for disposal. To the right of the barrels were several piles/bundles of copper wire. One pile of wire had been burned, assumingly to remove the coating and improve scrap value.			
The remainder of the yard was used for the storage of salvaged materials. Organized piles of lumber and stone were sorted, stacked and, in some case bundled, for sale and shipment.			

INVESTIGATOR(S): TCC

DATE RESOLVED: 4.8.10