



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.state.oh.us

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

Re: Defiance County
Open Burning Complaint

Notice of Violation

April 2, 2009

Certified Mail

Mr. Craig Ford
Resident
28585 Mansfield Road
Defiance, Ohio 43512

Dear Mr. Ford:

This office received a complaint on March 8, 2009, concerning open burning being conducted on your property. The complaint was investigated by myself on April 2, 2009. My investigation shows the following items have been burned on the property and there are neighboring houses within 1000 feet of the burn site: leaves, sticks, remnants of a pallet, household trash, plastic garbage bags, plastic bottles & containers, metal and aluminum cans, newspaper, cardboard and a partially melted trash can. It also appears that a mattress had been burned on site as the bed springs were visible.

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 OAC rule 3745-19-04(A). 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. Your response should be received by this agency no later than April 17, 2009.

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. Craig Ford
April 2, 2009
Page Two

If you have any questions concerning this letter or the regulations, please 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

/lb

Enclosure

pc: Lisa Holscher, U.S. EPA Region V
Tom Kalman, DAPC - CO
Don Waltermeyer, DAPC - NWDO
Tom Sattler, DAPC - NWDO
Thomas C. Cikotte, DAPC -- NWDO
7007 2560 0000 4485 5188

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Thomas C. Cikotte, DAPC - NWDO

From: "Gregg Gunsch" <ggunsch@defiance.edu>
To: "Joe Grob" <Joe.Grob@epa.state.oh.us>
Date: 3/8/2009 5:11 PM
Subject: RE: Open burning concern
Attachments: 28585 Mansfield Road - 8 March 2009.jpg; Aerial.jpg

Mr. Grob,

There is no way to take the photos and remain anonymous: you cannot see the pile from the road. But I no longer care to, because animals have torn bags apart and I'm tired of picking this neighbor's trash out of my yard and pond. His address is 28585 Mansfield Road, Defiance, OH. Name is Craig Ford. Attached is a more recent picture of the pile, taken 8 March 2009. The other picture (Aerial.jpg) shows the placement of the pile (plus sign) and my house to the east and the other neighboring house to the west, both within 200 feet.

I'm also fed up with listening to their chained-up, attention-starved, dog bark non-stop all day long, every day, but that's probably not your department - unless you can do something about noise pollution.

I hope you can at least do something before all that plastic is torched.

- Gregg Gunsch
28617 Mansfield Road
Defiance, OH 43512
419-395-1959

-----Original Message-----

From: Joe Grob [mailto:Joe.Grob@epa.state.oh.us]
Sent: Monday, March 02, 2009 2:52 PM
To: ggunsch@defiance.edu
Subject: Re: Open burning concern

Doesn't look like a legal burn. Is this within 1 mile of the city limits? Is this pile within 1000 feet of an inhabited building that is not on his property? If yes to either of these, there is no burning for disposal. If no to both, some materials are not allowed to be burned anyway. ie. plastic, food waste.

I will need an address and a name. If you want to be anonymous do not use e-mail because all is public information. Give me an anonymous call or letter. 1-800-686-6930 ext. 3120

>>> "Gregg Gunsch" <ggunsch@defiance.edu> 3/1/2009 9:13 AM >>>
Mr. Grob,

I moved into the rural area south of the city of Defiance last summer. One of my neighbors routinely burned piles of household trash last summer in an open area behind his house. He now has a large pile started, presumably waiting for a good day to burn it (photo attached). This has never seemed to me to be a good idea, and your webpage <http://www.epa.state.oh.us/dapc/general/openburning.html> confirms it.

Am I correct to be concerned, or am I just "tattling"? Is this something your office cares to address before the burning starts? Maybe a warning letter, educating him about the law and stating the minimum fine would do the trick. If so, I'll provide address info. I would prefer anonymity: we're already on bad terms over his dog's incessant barking.

- Gregg

Gregg Gunsch, Ph.D., PE, CISSP, GCFA, CCE
Associate Professor of Digital Forensic Science
Defiance College
701 N. Clinton, St., Defiance, OH 43512
419-783-2460 ggunsch@defiance.edu
<http://www.defiance.edu/pages/BASS_majors_CF.html>
http://www.defiance.edu/pages/BASS_majors_CF.html
Caveat Interretiaris

**OHIO ENVIRONMENTAL PROTECTION AGENCY
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED
NWDO	Defiance	3-8-09	4.1.09
TYPE AIR TELEPHONE <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> HPF 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 checked="" type="checkbox"/> OPEN BURNING <input checked="" type="checkbox"/> OTHER <input type="checkbox"/> OTHER		COMPLAINANT: (NAME, ADDRESS, PHONE #) Gregg Gunsch 419-395-1959 28617 Mansfield Rd. Defiance, Ohio 43512 ANONYMOUS: <input type="checkbox"/> IF YES THIS BOX SHOULD BE LEFT BLANK SUSPECTED SOURCE OF EMISSIONS: Craig Ford 419.395.2678 28585 Mansfield Rd. Defiance, Ohio 43512	
STATEMENT OF COMPLAINANT: Piles up trash in plastic bags behind his house and burns it. Large pile now. Homes within 200 ft.			
STATEMENT OF SOURCE OPERATOR: Was unaware of OB rules, thought you were allowed to burn in the country.			
FINDINGS: JUSTIFIED <input checked="" type="checkbox"/> NOT JUSTIFIED <input type="checkbox"/> CANNOT BE DETERMINED <input type="checkbox"/>			
RECOMMENDATIONS: NOV		DATE OF WRITTEN FOLLOW UP: <u>4.2.09</u>	
CORRECTIVE ACTION AGREED TO BY SOURCE: No more burning.			
COMMENTS: Pile of trash approximately 8' x 10' x 3', definitely had been burned and had never burned completely. Contained leaves, sticks, remnants of a pallet, house hold trash, plastic garbage bags, plastic bottles & containers, metal and aluminum cans, newspaper, cardboard and a partially melted trash can. It also appears that a mattress had been burned on site as the bed springs were visible.			

INVESTIGATOR(S): TCC

DATE RESOLVED: 4.2.09











