



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: Auglaize County  
Open Burning Complaint

**Notice of Violation**

December 1, 2009

**CERTIFIED MAIL**

7007 2560 0000 4485 5409

John Grieshop  
Property owner  
P.O. Box 224  
19245 Center Street  
St. Johns, Ohio 45884

Dear Mr. Grieshop:

Per your direction during my investigation, this message is also being sent to your legal counsel, John Poppe, of Poppe Law Office, in Wapakoneta, Ohio.

This office received a complaint from the Auglaize County Emergency Management Agency, in part, concerning open burning being conducted on your property. I investigated the complaint on November 25, 2009, regarding the open burning issues alleged in the complaint. My investigation shows evidence of the following materials being burned: construction and demolition debris, shingles, brush, household trash including plastics, plastic containers, wire, steel & aluminum cans, metal pipe and electrical outlet boxes.

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 3745-19-03(A). A copy of the OAC rules pertaining to open burning has been enclosed for your review.

On March 15, 2007, the Auglaize County Health Department issued you a letter stating that is illegal to burn trash and solid wastes in Ohio. On September 11, 2009, a fire was started, which you were present at, and items that you had been instructed not to burn were burned for disposal purposes or were burned to make the material more marketable for metals recycling. It is believed that some of the debris was burned as the result of demolishing mobile homes to recycle the metals for profit. These activities are violations of the open burning rules and future violations may result in this office recommending elevated enforcement action which may include, but are not limited to, a fine.

Mr. John Greishop  
November 30, 2009  
Page 2

As we discussed during my inspection, burning household trash on your property is also illegal and would constitute a violation of Ohio's open burning rules. Also, per our discussion, you had mentioned that you burn pieces of telephone poles for heat in your garage. In addition to being extremely toxic and posing multiple safety hazards, burning telephone poles in a wood burning stove is not allowed and could be determined to be a public nuisance. This practice should also be stopped immediately.

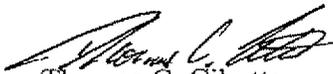
Again, for clarity, this investigation was conducted at the request of the Auglaize County Emergency Management Agency's director, Mr. Troy Anderson. Mr. Anderson has provided documentation to show a history of open burning violations on your property. This is the first time that the Ohio EPA has been involved with open burning matters on the property. Future violations will most likely result in this office recommending that elevated enforcement actions be taken which, again, may result in, but are not limited to, a fine. Also, issues regarding the debris piles located on the property have been referred to this office's Division of Solid and Infectious Waste Management. You should expect that they will need to conduct an investigation as well and may also send you information. They will be advised to send a copy of their letters to Poppe Law Offices as well.

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 December 15, 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.

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  
/csl

**Enclosure**

pc: Lisa Holscher, U.S. EPA Region V  
Tom Kalman, DAPC - CO  
Thomas C. Cikotte, DAPC - NWDO  
Auglaize County Health Dept.  
Troy Anderson, Auglaize County EMA  
John Poppe, Poppe Law Office  
ec: Don Waltermeyer, DAPC - NWDO  
Tom Sattler, DAPC - NWDO  
Brent Goetz, DSIWM - NWDO

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Thomas C. Cikotte  
Division of Air Pollution Control

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John Poppe, Poppe Law Office  
ec: Don Waltermeyer, DAPC - NWDO  
Tom Sattler, DAPC - NWDO  
Brent Goetz, DSIWM - NWDO

**OHIO ENVIRONMENTAL PROTECTION AGENCY  
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED																
NWDO	Auglaize	11.18.09	11.25.09																
<table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;"><u>TYPE</u></td> <td style="width:50%; border: none;"><u>AIR</u></td> </tr> <tr> <td style="border: none;">TELEPHONE <input type="checkbox"/></td> <td style="border: none;">INDUSTRIAL <input type="checkbox"/> HPF</td> </tr> <tr> <td style="border: none;">VISIT <input type="checkbox"/></td> <td style="border: none;">PARTICULATE <input type="checkbox"/></td> </tr> <tr> <td style="border: none;">LETTER <input type="checkbox"/></td> <td style="border: none;">ODOR <input type="checkbox"/></td> </tr> <tr> <td style="border: none;">DCN <input type="checkbox"/></td> <td style="border: none;">FUGITIVE DUST <input type="checkbox"/></td> </tr> <tr> <td style="border: none;">E-MAIL <input checked="" type="checkbox"/></td> <td style="border: none;">OPEN BURNING <input checked="" type="checkbox"/></td> </tr> <tr> <td style="border: none;">OTHER <input type="checkbox"/></td> <td style="border: none;">OTHER <input type="checkbox"/> X - DSIWM</td> </tr> </table>		<u>TYPE</u>	<u>AIR</u>	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 <input type="checkbox"/> X - DSIWM	<p><b>COMPLAINANT:</b> Troy Anderson, Auglize Co. EMA Director 419.739.6727</p> <hr/> <p><b>SUSPECTED SOURCE OF EMISSIONS:</b></p> <table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;">John H. Grieshop Property Owner P.O. Box 224 19245 Center St. St. Johns, Ohio 45884 419. 738.2045</td> <td style="width:50%; border: none;">John Poppe Poppe Law Office 1100 W. Auglaize St. Wapakoneta, Ohio 45895 419.738.7180 poppelawoffice@yahoo.com</td> </tr> </table>		John H. Grieshop Property Owner P.O. Box 224 19245 Center St. St. Johns, Ohio 45884 419. 738.2045	John Poppe Poppe Law Office 1100 W. Auglaize St. Wapakoneta, Ohio 45895 419.738.7180 poppelawoffice@yahoo.com
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<p><b>STATEMENT OF COMPLAINANT:</b> See attached e-mails and letters from Mr. Anderson. Essentially, suspects keeps burning after being told to stop, as well as DSIWM issues. <b>Suspect is of limited mental capacity.</b></p>																			
<p><b>STATEMENT OF SOURCE OPERATOR:</b> Mr. Grieshop states that he hasn't burned anything since Sept. 10, 2009. He stated that Mr Brandon Ford was the one who dumped the C&amp;DD in the fire. He didn't burn anything aside from brush. He mentioned that he burned telephone poles in his garage for heat and I told him that he couldn't do that either. At that point he got mad, told me he didn't want to talk to me anymore and he went inside the house. <b>It should also be noted that through the course of the conversation he also said that he can't read.</b></p>																			
<p><b>FINDINGS: JUSTIFIED <input checked="" type="checkbox"/> NOT JUSTIFIED <input type="checkbox"/> CANNOT BE DETERMINED <input type="checkbox"/></b></p>																			
<p><b>RECOMMENDATIONS: NOV</b> <span style="float:right"><b>DATE OF WRITTEN FOLLOW UP</b> ___ / ___ /</span></p>																			
<p><b>CORRECTIVE ACTION AGREED TO BY SOURCE: None.</b></p>																			
<p><b>COMMENTS:</b> Suspect has a history of not complying with deadlines he commits to.</p> <p>Observed a burn site approximately 15'x25' containing C&amp;DD, shingles, brush, household trash including plastics, plastic containers, wire, steel &amp; aluminum cans, metal pipe and electrical outlet boxes.</p> <p><b>Mr. Grieshop's lawyer, John Poppe, said that he will talk to John about the various issues on site and he would appreciate being copied on all matters dealing with Mr. Grieshop. I explained to Mr. Poppe that this matter would not include a fine, at this time, however, future violations may.</b></p>																			
<p><b>* PER THE DOG WARDEN, THERE IS A DOG ON SITE (ROTWEILER) THAT WILL BITE.</b></p> <p>Dog Warden can be reached at 419.739.6560, if assistance is needed.</p>																			

INVESTIGATOR(S):           TCC          

DATE RESOLVED: \_\_\_ / \_\_\_ /



# AUGLAIZE COUNTY OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

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Auglaize County Administration Building  
209 S Blackhoof St Room 206  
Wapakoneta, OH 45895

Phone: 419-739-6725

## Miscellaneous Incident Report

**Date:** 9/11/2009

**Weekday:** Friday

**Incident Name:** John Henery Greishop

**County Incident Number:** 0909-06-00052

**Ohio EPA Number:**

**Call came from:**

St. Johns Fire Chief  
,St.Johns, OH. 45884  
419-739-6565

**Time of Call:** 9:06:00 PM

**En-route Time:** 9:06:00 PM

**On-Scene Time:** 9:34:00 PM

**Clear Scene Time:** 10:30:00 PM

**Location:** 19245 Center Street in St. Johns

**Waterway Affected:**

**Jurisdiction:** St.Johns

**Agency:** St. Johns Fire/EMS

**Weather:** Clear

**Temp:**



**AUGLAIZE COUNTY OFFICE OF HOMELAND SECURITY  
AND EMERGENCY MANAGEMENT**

Auglaize County Administration Building  
209 S Blackhoof St Room 206  
Wapakoneta, OH 45895

Phone: 419-739-6725

Mr. Reisner:

I am reaching out to you for assistance for enforcement actions to be taken toward a resident in Auglaize County. The resident in question is a John Henry Greishop residing at 19245 Center Street in the unincorporated boundary of St. Johns.

On September 11, 2009, I was called to this location in connection with the St. Johns Fire Department and the Clay Township Trustees for an open burning complaint. Once the fire department arrived on the scene, they noticed that a large amount of smoke was crossing US 33 and State Route 65 at the north intersection. The material that was being burned consisted of construction debris from a mobile home, wiring, computer monitors, shingles, and garbage.

We were told by the property owner, John Henry Greishop and a companion Ralph Dennis Nelms (9 E. Benton, Apt. 4, Wapakoneta, OH 45895) that an order had been issued by the Auglaize County Health Department to clean up the property. Mr. Greishop stated that he gave Mr. Nelms permission to clean the property and help with the removal of the copper wire and metal to be sold for profit. Instead, fire was set to the debris. Please note there were also air conditioning units on the property from which the Freon had been released into the environment prior to being taken for scrap money.

Mr. Greishop and Mr. Nelms both stated to the Clay Twp. Trustees, St. Johns Fire Chief, and me that they would comply with the Health Dept. order and the codes violated by removing all debris from the premises. As of the date, this has not been accomplished.

The following are code violations I have found in regards to this matter:

- Ohio Fire Code 301.1.1 Open Burning Code
- Clay Township Zoning on Open Burning
- OAC 3745-400-04 (D) Illegal disposal of construction & Demolition material

I am including photo, a copy of the run report and the narrative for this incident. Please do not hesitate to call me for any further questions. I look forward to hearing from you in a timely fashion on this matter.

Respectfully yours

Troy Anderson  
Emergency Coordinator  
Auglaize County EMA & LEPC



## AUGLAIZE COUNTY OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

---

**Auglaize County Administration Building  
209 S Blackhoof St Room 206  
Wapakoneta, OH 45895**

**Phone: 419-739-6725**

John Henry Greishop  
19245 Center St.  
PO Box 224  
St. Johns, OH 45884

November 17, 2009

Mr. Greishop :

On September 11, 2009, you were advised about the possibility of enforcement action being taken against you in the event that you failed to heed the order to clean the solid waste material from around your property by legal means, not burning[pursuant to Ohio Fire Code 301.1.1 ;OAC 3745-27-01(0)(4) ; ORC 3734.03]. You did state to the Clay Twp. Trustees, St. Johns Fire Chief, and me that you would bring in a skid loader to remove all the debris and haul it away on a rollback trailer by September 28, 2009. This date allowed you to be compliant with an Auglaize County Health Dept. order.

As of November 16, 2009, you have failed to take any action on this matter. This matter is being turned over to the Ohio EPA Solid Waste and Air Pollution Division for enforcement action.

In the Interest of Public Safety

Troy Anderson  
Emergency Coordinator  
Auglaize County LEPC

CC:// File  
BCC:// Clay Township Trustees  
Keith Rohm  
St. Johns Fire Chief  
Rodney Campbell



## AUGLAIZE COUNTY OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

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Auglaize County Administration Building  
209 S Blackhoof St Room 206  
Wapakoneta, OH 45895

Phone: 419-739-6725

September 28, 2009

Mr. Anderson

On September 11, 2009 called by the St. Johns Fire Chief to respond to a Hazardous Materials Fire at 19245 Center Street in St. Johns. After arriving their I was questioned by the Clay Township Trustee and the St. Johns Fire Chief Rod Campbell for possibly giving a Mr. John Greishop the Okay to burn the product in the photos that I have attached.

After talking to Mr. Greishop he told me that you had instructed him to burn the materials at this location and that he had 14 days to abide by this or he would be taken to court. After a brief discussion with Mr. Greishop and a Mr. Ralph Niems I was given a copy of the letter that you had sent him on September 8, 2009. I informed Mr. Greishop that it did not state to burn the material around his house and that he had to have it hauled away.

During my investigation, I had found that they had used motor oil and garbage to start the fire and was burning tarpaper, shingles, plastic, rubber and wood. I also noted they were burning computer equipment that contained mercury and air conditioners. I asked both men the nature of burning this and was told that they at first did not know these things were in there, and then they said it was to burn the plastic off to sell the metal.

I asked the Trustees and the Fire Chief what they wanted me to do. Did they want me to turn this over to the OEPA or forward this over to the Health Department since you had already issued a notice letter to cleanup the property. Both parties said to forward this information over to the Health Department.

If you have any questions regarding this, please do not hesitate to call.

Respectfully

Troy Anderson, Director  
Auglaize County EMA

John Henry Greishop  
St. Johns, Auglaize County

by Troy

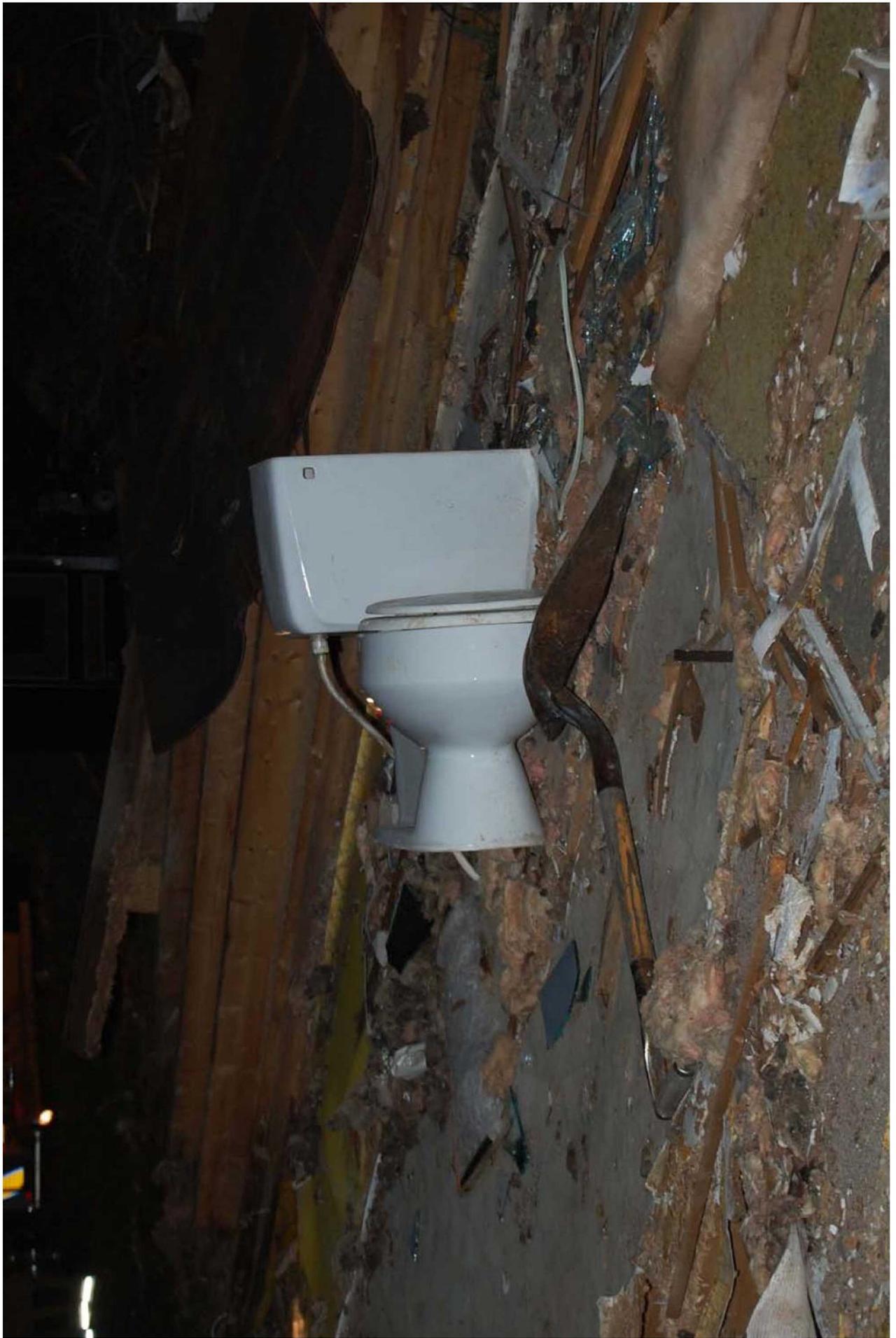


































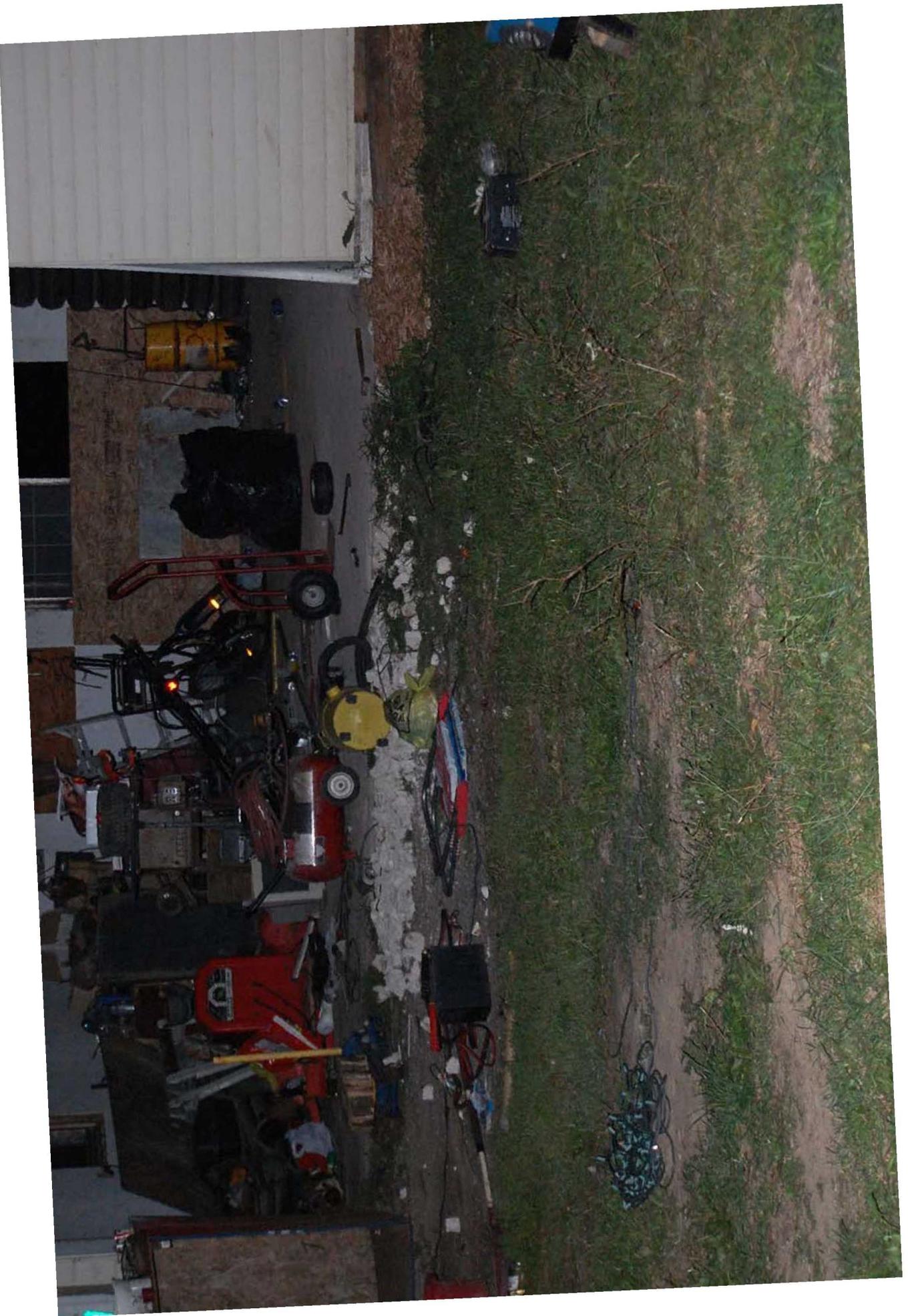






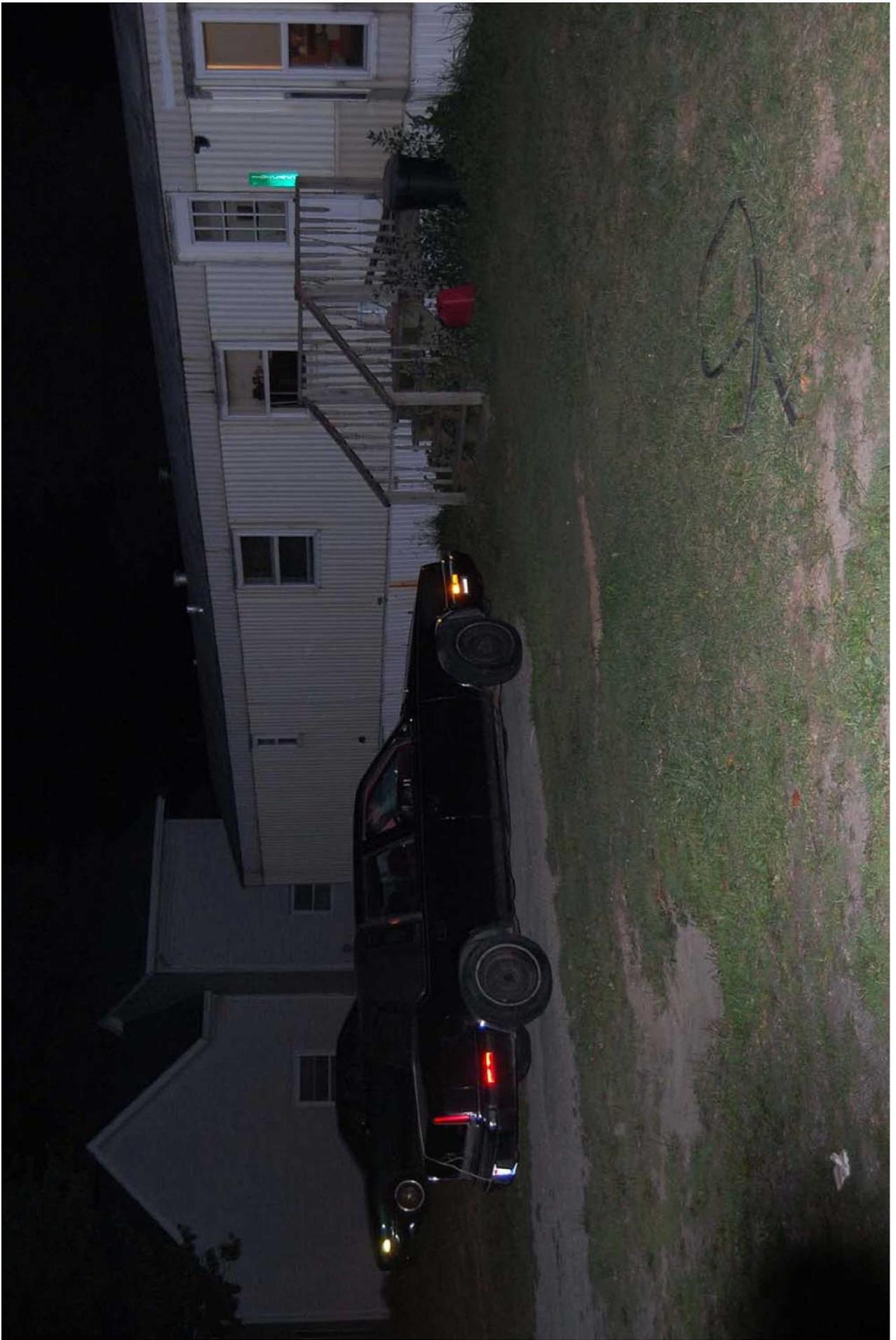


















11/25/2009 10:19



11/25/2009 10:48