



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

Re: Crawford County  
Open Burning Complaint

**Notice of Violation**

October 21, 2010

CERTIFIED MAIL

Mr. Brad Kagel  
Property Owner  
325 E. Lucas Street  
Bucyrus, OH 44820

Dear Mr. Kagel:

On October 19, 2010, Ms. E. Jay Murphy and I observed open burning being conducted on your property near Bucyrus, Ohio (parcel #42-0012505.004). Based on our observations and subsequent investigation, unsalvageable demolition debris from an old barn was being burned for disposal purposes within 1000' of adjacent residences in an unrestricted area. Illegal open burning did occur this is a violation of Ohio Administrative Code rule 3745-19-04(A).

A copy of the OAC rules pertaining to open burning has been enclosed. Please submit a written response to Ohio EPA indicating your understanding of the regulations and your commitment that illegal open burning will not occur in the future on any property you own or control within the State of Ohio. Your response should be received by this agency no later than November 8, 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.

If you have any questions concerning this letter or the regulations, please feel free to call me at (419) 373-3137 or e-mail me 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: Crawford County Health Dept.  
7006 0100 0004 1318 4948

ec: Lisa Holscher, U.S. EPA Region V  
Tom Kalman, DAPC – CO  
Tom Sattler, DAPC – NWDO  
Thomas C. Cikotte, DAPC – NWDO

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