Re: Open Burning Complaint
Crawford County
Notice of Violation

March 26, 2008

CERTIFIED MAIL

Mr. Keith Beck, Acting Fire Chief
Iberia Volunteer Fire Company, Inc.
P. O. Box 46
Iberia, Ohio 43325-0046

Dear Mr. Beck:

This office has received a complaint concerning you giving permission to Mr. Duane Peak to conduct an illegal burn. This complaint was substantiated upon our conversation on March 21, 2008. By means of this letter we hope to inform you of the seriousness of open burning, and inform you that open burning is a strictly regulated activity in Ohio, regulated pursuant to Ohio Administrative Code 3745-19 (copy enclosed).

Mr. Beck, the Iberia Volunteer Fire Company, Inc., has been found in violation of OAC 3745-19-04 (A): ***"No person or property owner shall cause or allow open burning in an unrestricted area except as provided in paragraph (B) to (C) of this rule or in section 3704.11 of the Revised Code."*** Open burning as conducted by Mr. Peak is not provided for in these rules.

At this time, we ask that you submit a written response to the Ohio EPA regarding this complaint, your understanding of the regulations and what measures will be taken to prevent any further violations. Your response should be received by this Agency by April 10, 2008.

Please be advised that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC Section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

Keep in mind that penalties of up to $25,000 could be assessed.

If you have any questions concerning this letter or the regulations, please call me at (419) 373-3120.

Sincerely,

Joseph L. Grob
Environmental Specialist 3
Division of Air Pollution Control

/llr

Enclosure

pc: Crawford County Health Department
Lisa Holscher, U.S. EPA, Region V
Tom Kalman, DAPC, CO
Tom Sattler, Supervisor, DAPC, NWDO
DAPC, NWDO File
ec: Joe Grob, DAPC, NWDO

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Crawford County
Notice of Violation

March 26, 2008

Certified Mail

Mr. Duane Peak
3790 State Route 309
Iberia, Ohio 43325

Dear Mr. Peak:

This office has received a complaint concerning open burning of parts of a demolished barn on your property. This complaint was substantiated by phone calls to you and the Acting Fire Chief, Keith Beck. By means of this letter we hope to inform you of the seriousness of open burning, and inform you that open burning is a strictly regulated activity in Ohio, regulated pursuant to Ohio Administrative Code 3745-19 (copy enclosed).

Mr. Peak, you have been found found in violation of OAC 3745-19-04 (A): ***"No person or property owner shall cause or allow open burning in an unrestricted area except as provided in paragraph (B) to (C) of this rule or in section 3704.11 of the Revised Code."*** Open burning as conducted by you is not provided for in these rules.

At this time, we ask that you submit a written response to the Ohio EPA regarding this complaint, your understanding of the regulations and what measures will be taken to prevent any further violations. Your response should be received by this Agency by April 10, 2008.

Please be advised that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC Section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

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