



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
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: Crawford County  
Open Burning Complaint  
**Notice of Violation**

October 10, 2008

Certified Mail 7006 0100 0004 1318 2555

Mr. William Martin  
4620 State Route 98  
Sulphur Springs, Ohio 44881

Dear Mr. Martin:

On September 25, 2008, this office received a complaint concerning open burning of trash being conducted on your property. The complaint was investigated by me on October 2, 2008. The investigation showed a smoldering barrel on your property. A nasty odor was noticed from the smoke. Please understand that open burning for disposal is not allowed within city limits or within 1,000 feet of the nearest inhabited building that is not on your property.

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): "No person or property owner shall cause or allow open burning in an unrestricted area except as provided in paragraphs (B) to (C) of this rule or in section 3704.11 of the revised code." Open burning as you have conducted is not provided for in these rules. 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 October 24, 2008.

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 contact me at (419)373-3120 or via email at [joe.grob@epa.state.oh.us](mailto:joe.grob@epa.state.oh.us).

Sincerely,

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

/cs

Enclosure

pc: Lisa Holscher, U.S. EPA, Region V  
Tom Kaiman, DAPC, CO  
Don Waltermeyer, DAPC, NWDO  
Tom Sattler, DAPC, NWDO  
Crawford County Health Department  
ec: Joe Grob, DAPC, NWDO

