



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Defiance County
Open Burning Complaint
Notice of Violation

June 15, 2011

CERTIFIED MAIL

Ms. Wanda Schwader
Property Owner
16447 County Road 424
Defiance, Ohio 43512

Dear Ms. Schwader:

This office received a complaint on June 13, 2011, concerning open burning being conducted on the property you own at 10336 Slough Road in Defiance, Ohio, and is occupied by Chris & Dawn Sines. My investigation, and that of the Defiance County Health Department, shows metal wire, household trash and plastics have been burned for disposal on the property. This was done within 1000' of adjacent residences in an unrestricted area.

Based on these 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 because you, as the property owner, may be held liable for current and future violations. It is your responsibility to clearly communicate the open burning rules to your tenants and it is ultimately your responsibility to ensure that future violations do not occur on your property.

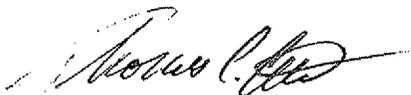
Please provide a written response acknowledging your receipt of this letter and your understanding of the rules. If you do not understand the rules please contact this office for additional explanation before responding. Your response is requested no later than July 1, 2011.

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.

Ms. Wanda Schwader
June 16, 2011
Page 2

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

/llr

Enclosure

pc: Defiance County Health Department
Certified Receipt Number 7009 1410 0001 1840 2956
Thomas C. Cikotte, DAPC – NWDO

ec: William MacDowell, U.S. EPA Region V
Tom Kalman, DAPC - CO
Tom Sattler, DAPC - NWDO
Thomas C. Cikotte, DAPC – NWDO

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Division of Air Pollution Control

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Enclosure

pc: Defiance County Health Dept.
Thomas C. Cikotte, DAPC – NWDO

ec: William MacDowell, U.S. EPA Region V
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Tom Sattler, DAPC - NWDO
Thomas C. Cikotte, DAPC – NWDO

**OHIO ENVIRONMENTAL PROTECTION AGENCY
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED
NWDO	Defiance	6.13.11	6.15.11
<u>TYPE</u>	<u>AIR</u>		COMPLAINANT:
TELEPHONE <input type="checkbox"/>	INDUSTRIAL <input type="checkbox"/>	HPF	Lennis Prigge – Defiance Co HD
VISIT <input type="checkbox"/>	PARTICULATE <input type="checkbox"/>		Craig Richards – Inspector
LETTER <input type="checkbox"/>	ODOR <input type="checkbox"/>		419.784.3818
DCN <input type="checkbox"/>	FUGITIVE DUST <input type="checkbox"/>		SUSPECTED SOURCE OF EMISSIONS:
E-MAIL <input type="checkbox"/>	OPEN BURNING <input type="checkbox"/>		Chris & Dawn Sines
OTHER <input type="checkbox"/>	OTHER <input type="checkbox"/>		Tenants
			10336 Slough Rd.
			Defiance, OH 43512
			419.899.2182
			Wanda Schwader
			Property owner
			16447 County Rd. 424
			Defiance, OH 43512
			419.899.4807
STATEMENT OF COMPLAINANT: DCHD inspector Craig Richards says that he observed signs of the tenant burning wire and HHTw/P.			
STATEMENT OF SOURCE OPERATOR: Dawn Sines says she's not sure what all her husband burns but knows he does burn in the back yard.			
FINDINGS: JUSTIFIED <input checked="" type="checkbox"/> NOT JUSTIFIED <input type="checkbox"/> CANNOT BE DETERMINED <input type="checkbox"/>			
RECOMMENDATIONS: NOV both		DATE OF WRITTEN FOLLOW UP <input type="checkbox"/> 6.15.11	
CORRECTIVE ACTION AGREED TO BY SOURCE: None.			
COMMENTS: Spoke with both parties via phone. Using info from DCHD as basis for NOV.			

INVESTIGATOR(S): TCC

DATE RESOLVED: 6.15.11