



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: Allen County  
Open Burning Complaint

**Notice of Violation**

April 19, 2010

**CERTIFIED MAIL**

Shane & Sharon Hughes  
Property Owners  
9871 Kraft Road  
Spencerville, Ohio 45887

Dear Mr. & Ms. Hughes:

This office received a complaint on April 10, 2010, concerning open burning being conducted on your property. I investigated the complaint on April 14, 2010. My investigation shows the following items were burned in a metal wire crate, approximately 4' x 4' x 2', for disposal purposes within 1000' of adjacent residences: miscellaneous metal parts, a ceiling fan, metal cans, food waste and household trash with plastics.

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 3745-19-04(A) (unrestricted areas). A copy of the OAC rules pertaining to open burning has been enclosed for your review.

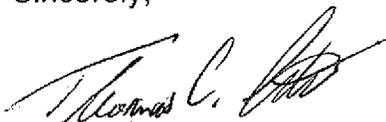
Please submit a written response to Ohio EPA, Northwest District Office indicating your understanding of the regulations and your commitment that no future illegal open burning will occur. Your response should be received by this agency no later than May 3, 2010.

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.

Shane and Sharon Hughes  
April 19, 2010  
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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

/lr

Enclosure

pc: Thomas C. Cikotte, DAPC-NWDO  
Allen County Health Department  
Certified Receipt Number 7007 2560 0000 4485 7632

ec: Lisa Holscher, U.S. EPA Region V  
Tom Kalman, DAPC-CO  
Don Waltermeyer, DAPC-NWDO  
Tom Sattler, DAPC-NWDO

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