



Environmental
Protection Agency

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

Re: Allen County
Open Burning Complaint
Robert Slone
Notice of Violation

July 15, 2011

Certified Mail 7009 1410 0001 1394 1009

Mr. Robert Slone
1345 North Stevick Road
Lima, Ohio 45807

Dear Mr. Slone:

This office recently received a complaint concerning open burning being conducted at your property located at 1345 North Stevick Road, Lima, Ohio. This complaint was further evidenced through conversations with the Elida Fire Department and the presence of a large burn pile observed behind your residence.

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 3745-19-03(A) which states, "No person or property owner shall cause or allow open burning in a Restricted Area except as provided in paragraphs (B) to (D) of this rule or in section 3704.11 of the revised code." A copy of the OAC rules pertaining to open burning has been enclosed for your review. This is also a violation of Ohio Revised Code 3704.05.

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 14 days after receiving this correspondence.

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 open burning regulations, please call Mr. Tom Cikotte at (419) 373-3137. Written correspondence should be sent to Ohio EPA/Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402, in my care.

Sincerely,

Derek Hassinger
Environmental Specialist II
Ohio EPA/Office of Special Investigations

/cs

Enclosures: Copy of OAC 3745-19-01 through -06

pc: Tom Cikotte, DAPC - NWDO
Allen County Health Department