



Environmental
Protection Agency

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

Re: Allen County
Open Burning Complaint
Notice of Violation

September 8, 2011

CERTIFIED MAIL

Mr. Mark Snyder, Owner
Snyder Brothers Excavating
714 North Napoleon Road
Lima, Ohio 45801

Dear Mr. Snyder:

This office received a complaint on August 29, 2011, concerning your company conducting illegal open burning at 132 South Washington Street in Lafayette, Ohio. My investigation, conducted on August 30, 2011, shows at the direction of Mr. Lee Schafer, your organization demolished and attempted to burn a residential structure within 1000' of adjacent inhabited structures in a restricted 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 3745-19-03(A). A copy of the OAC rules pertaining to open burning has been enclosed for your review.

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 September 22, 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.

Mr. Mark Snyder, Owner
September 8, 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: Allen County Health Department
Thomas C. Cikotte, DAPC – NWDO
Certified Mail Receipt Number 7009 1410 0001 1834 0869

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

Re: Allen County
Open Burning Complaint
Notice of Violation

September 6, 2011

CERTIFIED MAIL

Mark Snyder, Owner
Snyder Brothers Excavating
714 N. Napoleon Rd.
Lima, Ohio 45801

Dear Mr. Snyder:

This office received a complaint on August 29, 2011, concerning your company conducting illegal open burning at 132 S. Washington St. in Lafayette, Ohio. My investigation, conducted on August 30, 2011, shows at the direction of Mr. Lee Schafer your organization demolished and attempted to burn a residential structure within 1000' of adjacent inhabited structures in a restricted 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 3745-19-03(A). A copy of the OAC rules pertaining to open burning has been enclosed for your review.

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 September 22, 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.

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

/

Enclosure

pc: Allen County Health Dept.
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