



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

Re: Crawford County
Open Burning Complaint
Notice of Violation

October 28, 2010

CERTIFIED MAIL

Harold & Joanne Traxler
Property owners
400 Evans Avenue
Galion, Ohio 44833

Dear Mr. & Mrs. Traxler:

This office received a complaint on October 21, 2010, concerning open burning being conducted on your property. I investigated the complaint on October 26, 2010. My investigation shows that, per your admittance, leaves, which are a "landscape waste", were burned for disposal purposes 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. Given your statement at the time of the inspection, that you have no intention to stop burning leaves, please be aware that future violations of Ohio's open burning rules will result in this office recommending elevated enforcement, which would include, but is not limited to, a fine.

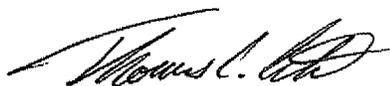
Please submit a written response to Ohio EPA, Northwest District Office indicating your understanding of the regulations and your commitment that no future illegal open burning will occur on any property you own or control within the State of Ohio. Your response should be received by this agency no later than November 12, 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.

Harold & Joanne Traxler
October 28, 2010
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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

/lr

Enclosure

pc: Crawford County Health Department

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

Re: Crawford County
Open Burning Complaint
Notice of Violation

October 27, 2010

CERTIFIED MAIL

Harold & Joanne Traxler
Property owners
400 Evans Ave.
Galion, Ohio 44833

Dear Mr. & Mrs. Traxler:

This office received a complaint on October 21, 2010, concerning open burning being conducted on your property. I investigated the complaint on October 26, 2010. My investigation shows that, per your admittance, leaves, which are a "landscape waste", were burned for disposal purposes in a restricted area.

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Sincerely,

Thomas C. Cikotte
Division of Air Pollution Control

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Enclosure

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

