



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 Korfeski, Director

Re: Crawford County
Open Burning Complaint

Notice of Violation

March 17, 2010

CERTIFIED MAIL

Ms. Shelba Wadlington
Property Owner
311 N. Sandusky Avenue
P. O. Box 1112
Bucyrus, Ohio 44820

Dear Ms. Wadlington:

This office received a complaint on March 10, 2010, concerning open burning being conducted on property you own at 7197 State Route 4 in Bloomville, Ohio. I investigated the complaint on March 12, 2010. My investigation shows that the following materials were burned for disposal purposes: household trash including plastics; aerosol cans; steel and aluminum cans; manufactured lumber and; wood and brush. There also appears to be another area where a trash fire was reported to have gotten out of control and spread to an outbuilding used for storage. It cannot be determined what was burned intentionally and what was burned accidentally, however, the following items were burned there: a wooden structure, approximately 12' x 15'; treated railroad ties; 2-3 tires; a mattress; clothing; household trash including plastics, and; construction and demolition debris.

In speaking with the Chatfield Fire Department, it has been determined that you and/or your tenants were instructed on November 18, 2009, not to burn trash on the property. It appears that instruction has not been followed and trash continues to be burned on the property. The complaint Ohio EPA received indicated that other people have brought their household trash to your property to be burned as well.

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 Ohio Administrative Code (OAC) rule 3745-19-04(A). A copy of the OAC rules pertaining to open burning has been enclosed for your review.

Ms. Shelba Wadlington
March 17, 2010
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To be clear, because there are residences within 1000' of your property, no one is allowed to burn trash on that property. The only fires allowed on that property are those that follow the guidelines detailed in OAC rule 3745-19-04(B)(2), as highlighted in the enclosure.

Also, as I stated during our conversation on March 15, 2010, I am referring this matter to the Ohio EPA's Division of Solid Waste Management and the Crawford County Health Department, as I feel that this property may be considered an open dumping site and is a cause of nuisance animals.

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 April 5, 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.

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.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/llr

Enclosure

pc: Thomas C. Cikotte, DAPC-NWDO
Crawford County Health Department
Certified Receipt Number 7007 2560 0000 4485 6963
ec: Lisa Holscher, U.S. EPA Region V
Tom Kalman, DAPC - CO
Don Waltermeyer, DAPC - NWDO
Tom Sattler, DAPC - NWDO

Re: Crawford County
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Thomas C. Cikotte
Division of Air Pollution Control

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Enclosure

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

**OHIO ENVIRONMENTAL PROTECTION AGENCY
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED
NWDO	Crawford	3.10.10	3.12.10
TYPE	AIR		COMPLAINANT:
TELEPHONE <u> X </u>	INDUSTRIAL <u> ___ </u>	HPF	Sara Cotsamire P.O. Box 33 6948 Sandusky Rd. Chatfield, Oh 44825 419.569.9323
VISIT <u> ___ </u>	PARTICULATE <u> ___ </u>		SUSPECTED SOURCE OF EMISSIONS:
LETTER <u> ___ </u>	ODOR <u> ___ </u>		
DCN <u> ___ </u>	FUGITIVE DUST <u> ___ </u>		
E-MAIL <u> ___ </u>	OPEN BURNING <u> X </u>		
OTHER <u> ___ </u>	OTHER <u> ___ </u>		
Burn Site: 7197 State Route 4 Bloomville, OH 448118			
Property Owner: Shelba Wadlington 311 N. Sandusky Ave P.O. Box 1112 Bucyrus, OH 44820 Work: 419.562.8785 Home: 567.485.0000 (Leah Perry, answered??)			
STATEMENT OF COMPLAINANT: Her neighbor, Mildred Gibson, who has been sent a NOV for OB before, takes her trash about ½ mile north to a friend’s house and burns her trash there. Several other people are also doing this. She says that the area they burn in is about 200 feet in diameter and “just full of trash, everywhere.” She says that the local FD has responded to this address in the past because one of their trash fires got out of control and caught an outbuilding on fire.			
STATEMENT OF SOURCE OPERATOR: On site I spoke with Ms. Leah Perry, who lives in the tan house to the SW portion of the property. She stated that they do burn their trash and they’ve had a few fires get away from them. When speaking with Shelba Wadlington she stated that they have burned their trash and that Ms Perry said that she has seen someone drop trash off there but she didn’t know who. I asked her if she knew Mildred Gibson and she hesitantly said yes. I said that the complainant said it was her. Ms. Wadlington had no response.			
FINDINGS: JUSTIFIED <u> X </u> NOT JUSTIFIED <u> ___ </u> CANNOT BE DETERMINED			
RECOMMENDATIONS: NOV, last chance language DATE OF WRITTEN FOLLOW UP <u> 3.16.10 </u>			
CORRECTIVE ACTION AGREED TO BY SOURCE: No more burning, “looking into having someone come out and clean up the mess”.			
COMMENTS: Crawford Co. Sheriff states that Chatfield FD was dispatched on 11.17.09 for a “brush fire”. Apparently several departments were initially dispatched because it was believed to be a trailer fire. Contacted Chief Jeremy Dunn @ 419.988.0251 on 3.11.10, left a message asking that he return my call and for a run report. Chief Dunn has sent me run reports for three incidents in the past, all of which were trash fires (11.18.09; 8.31.06, and; 3.10.06). <u>Chief Dunn also stated that you should not approach the house on the NW corner of the property without a law enforcement escort, as the stairs, railing and door knob are electrified by an electric fence system.</u>			
<u>Refer this to DSIWM and HD for open dumping.</u>			

INVESTIGATOR(S): TCC

DATE RESOLVED: 3.16.10



2010/03/12



2010/03/12

2010/03/12





2010/03/12

Tropicana
ORANGE JUICE
100% JUICE

Back to Back
COLA



2010/03/12



2010/03/12



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