



**Environmental
Protection Agency**

John R. Kasich, Governor

Steve Taylor, Lt. Governor

Scott J. Walig, Director

August 21, 2012

**RE: NOTICE OF VIOLATION
ILLEGAL OPEN BURNING
SCHWEITZER ROAD
ASHTABULA COUNTY**

CERTIFIED MAIL

Mr. Justin Janson
Janson Trucking
1540 Mechanicsville Rd.
Rock Creek, Ohio 44086

Dear Mr. Janson;

On July 16, 2012, Ohio EPA received a complaint alleging that a Janson Trucking dump truck brought in demolition debris and burned the debris, at night, at a location on Schweitzer Rd.

On July 24, 2012, representatives from Ohio EPA investigated the complaint and found a large pile of demolition debris smoldering in a corn field near a cell tower. The debris consisted of wood, bricks, plaster, concrete, and other misc. material.

On August 3, 2012, Mr. Bob Princic and I met you on the site and you stated that there was nothing there. The debris was removed and the ground was leveled. In conversation, you stated that debris is brought in to be used in your farm fields to level the ground.

We informed you that an investigation of a complaint of open burning and dumping of demolition debris was underway.

The purpose of this letter is to advise you that that you are in violation of Ohio Administrative Code (OAC), Rule 3745-19-04, which prohibits open burning for the purpose of waste disposal in unrestricted areas. Further, OAC Rule 3745-19-06 provides a penalty for violations of the open burning regulations.

Within fourteen (14) days of receipt of this letter, you are requested to submit the following information. This request is made pursuant to OAC, Rule 3745-15-03.

- 1) The locations of the site where the demolition debris was brought from.
- 2) A copy of any demolition permit for the site.
- 3) Location to where the debris was taken after July 24, 2012.
- 4) A copy of any landfill tickets if debris was taken to a landfill.
- 5) A plan of action to cease any future open burning.

Failure to respond to this request, in the requested time frame, can result in a referral to the Central Office of Ohio EPA for appropriate enforcement action. The submission of the requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3745.06. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date.

Clarification, explanation or evidence pertaining to this violation should be brought to our immediate attention. If you have any questions, please contact me at (330) 963-1241 or Bob Princic at (330) 963-1230.

Sincerely,



Richard Kolosionek
District Representative
Division of Air Pollution Control

RK/cs

Cc: Ed Fasko, Ohio EPA, DAPC, NEDO
Bob Princic, Ohio EPA, DAPC, NEDO
Tim Fischer, Ohio EPA, DAPC, NEDO
Bruce Weinberg, Ohio EPA, DAPC, CO
Bill MacDowell, US EPA, Region 5

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