



AKRON REGIONAL
AIR QUALITY MANAGEMENT DISTRICT

Agent of the Ohio Environmental Protection Agency • Division of the Akron Health Department
Serving Medina, Portage and Summit Counties

TELEPHONE: (330) 375-2480
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L. M. Malcolm, P.E.
Administrator

December 4, 2007

Mr. & Mrs. Roger Kuhn
2300 Tallmadge Road
Ravenna, OH 44266

Dear Mr. & Mrs. Kuhn:

You are hereby cited for violations of the Ohio Administrative Code section 3745-19 (Open Burning Standards) and Portage County Air Pollution Control Regulation 97.16 (Open Burning), as adopted in Resolution 91.01 of the Portage County Board of Health. These violations have occurred on your property at 2300 Tallmadge Road in Brimfield Township (Portage County).

On July 10, 2006 the Brimfield Township Fire Department responded to a call for a dumpster fire at 2300 Tallmadge Road. The illegal fire included construction materials and a lacquered coffee table. The fire was witnessed by both Lt. Morrison of the fire department and Patrolman Gyoker of the police department; the fire was extinguished. Lt Morrison explained why this type of fire was illegal and suggested other options for disposal of construction trash.

On September 25, 2006 an investigator from our office observed open burning on your property, contact was made, and written orders to cease and desist all illegal burning activities were issued to Mr. Kuhn at this time. The Ohio Administrative Code 3745-19 Open Burning Standards were explained to Mr. Kuhn and a copy was provided along with an Ohio EPA open burning flyer.

On November 28, 2007 our Agency received a complaint, from the U.S. EPA, of open burning occurring on your property. During subsequent investigation, on November 29, 2007, the burn area was not accessed. However, during a telephone call from Mrs. Kuhn on November 29, 2007, she acknowledged burning leaves. The open burning regulations were explained and she was requested to stop the illegal burning activities.

In light of these violations, you are urged to take appropriate steps to be sure that no further illegal open burning occurs on this property. **Within fifteen (15) days of receipt of this letter, please submit a written commitment to cease all further illegal open burning.**

Acceptance by this Agency of your commitment does not constitute a waiver of this Agency's authority to seek civil penalties as provided in Portage County Air Pollution Control Regulation 97.16, or to refer the matter to the Ohio EPA for their enforcement action (including imposition of civil penalties). The determination to pursue or to decline such penalties will be made at a later date.

If you have any questions regarding this matter, please contact me at 330/375-2480 ext 6051.

Yours truly,

L. M. Malcolm, PE
Administrator

LMM
Certified Mail
Enclosure

CITICENTER - SUITE 904

146 SOUTH HIGH STREET • AKRON, OHIO 44308

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