

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
FAX: (330) 375-2402

L. M. Malcolm, P.E.
Administrator

September 12, 2008

Mr. James Kruis
Waste Removal Equipment
4588 State Route 82, Unit A
Mantua, OH 44255

Dear Mr. Kruis:

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 4588 State Route 82 in Mantua Township (Portage County).

On September 9, 2008, our agency received a complaint regarding open burning and smoke occurring on your property September 4, September 5, and September 8, 2008, along with photos showing a large fire with a lot of black smoke. During investigation of this complaint on September 10, 2008, you admitted to burning land clearing waste and shingles. Written orders to cease and desist all illegal open burning were given to you, the open burning regulations were explained, and a copy of the regulations was provided at this time.

In light of the above-cited 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

BKG:LMM
Certified Mail
Enclosure

CITICENTER - SUITE 904
146 SOUTH HIGH STREET • AKRON, OHIO 44308
An equal opportunity employer and provider of services - CRA 1964