



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

March 19, 2009

Mr. & Mrs. Dennis Schultz
12947 Main Market
Garrettsville, OH 44231

Dear Mr. & Mrs. Schultz:

You are hereby cited for violations of Air Pollution Control Regulation 97.16 as adopted in Resolution 91.01 of the Portage County Board of Health and Ohio Administrative Code section 3745-19 (Open Burning Standards). These violations have occurred on your property located at 12947 State Route 422 in Nelson Township (Portage County).

On March 10, 2009 our office received a complaint regarding open burning and smoke occurring on your property at 12947 State Route 422. The complaint alleged open burning occurred on March 10, 2009 at 3:00 a.m. The Garrettsville-Freedom-Nelson Fire Department responded and extinguished the fire. During an investigation on March 11, 2009, an inspector from the Akron Regional Air Quality Management District (ARAQMD) found the complaint to be justified. Evidence that vinyl siding, trash, papers, plastic, and other waste products had been burned was observed by the inspector. Five different burn sites were observed at this time. Contact was made with Mrs. Schultz and the open burning regulation (OAC 3745-19) was explained and a copy provided. Written orders to cease and desist all illegal open burning activities were issued.

Previously, on November 29, 2008 at 9:20 p.m., the Garrettsville-Freedom-Nelson Fire Department responded to an open burning complaint at your residence and extinguished the fire. Both of these incidents involved the illegal burning of vinyl siding and other trash or waste products. You were advised both times to stop the illegal burning activities.

In light of this most recent violation, 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
faxc Chief David Friess

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