



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. Malcom, P.E.
Administrator

November 18, 2009

Mr. & Mrs. David Miller
2736 State Route 44
Rootstown, OH 44272

Dear Mr. & Mrs. Miller:

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 2736 State Route 44 Randolph Township (Portage County).

On November 9, 2009, an inspector from the Akron Regional Air Quality Management District (ARAQMD) observed a large pile of smoking and burning leaves on your property. The illegal fire was located at the back of your property and, according to a complaint, had been "smoking and burning for days." This was also the site of a previous complaint and fire in November 2007.

Previously, on November 3, 2007, our agency responded to a complaint of open burning on your property. On November 6, 2007, a letter was sent advising you of the Ohio Administrative Code (Open Burning Standards) and of the violation.

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, please contact Bonetta Guyette at 330/375-2480 ext 6055.

Sincerely,

Frank Markunas
Chief Engineer

BKG:FM
Enclosure
Certified Mail

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