



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

June 4, 2009

Mr. & Mrs. Joseph Eberz  
715 Eastview Drive  
Akron, OH 44312

Dear Mr. & Mrs. Eberz:

You are hereby cited for violations of the Ohio Administrative Code section 3745-19 (Open Burning Standards) and Summit County Health Code Part 20 Paragraph 97.01 (Open Burning). These violations have occurred on your property at 715 Eastview Drive in Springfield Township (Summit County).

On May 12, 2008, our Agency received a complaint alleging illegal open burning on your property at 715 Eastview Drive in Springfield Township. Subsequent investigation revealed a large burn site near the back of the property. The burn site contained partially burned roofing shingles and other debris. Contact was attempted at this time. Written orders to cease and desist illegal burning activities, a copy of Ohio Administration Code 3745-19 Open Burning Standards, and an Open Burning flyer were left on your front door. A follow up letter regarding open burning and a second copy of the Ohio Administrative Code 3745-19 Open Burning Standards were sent to you on May 16, 2008.

On June 5, 2008, during an investigation, you showed the inspector an "outdoor fireplace" directly behind the house that you use for cooking purposes. At that time you explained the pile out back used to be the site of a yearly bonfire and continued stating that you have since stopped having bonfires. No violation was documented at this time. Due to the size of the burn pile (located at the rear of the property) and the materials contained therein, you were advised to not burn on that site again.

On May 18, 2009, our Agency received another complaint alleging open burning on your property on May 15, 2009. Subsequent investigation revealed illegal burning had occurred at the previous burn site approximately 300 feet behind the house.

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 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 Summit County Health Code Part 20 Paragraph 97.01, 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  
Certified Mail  
Enclosure

CITICENTER - SUITE 904

146 SOUTH HIGH STREET • AKRON, OHIO 44308

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