



**Environmental  
Protection Agency**

John R. Kasich, **Governor**  
Mary Taylor, **Lt. Governor**  
Scott J. Nally, **Director**

**Re: Sandusky County  
Open Burning Complaint  
Notice of Violation (NOV) &  
Return to Compliance (RTC)**

August 30, 2012

**CERTIFIED MAIL**

Mr. Justin Ceccoli  
Tenant  
740 South Buchanan Street  
Fremont, Ohio 43420

Dear Mr. Ceccoli:

This office received a complaint on August 8, 2012, concerning open burning being conducted on your property. My investigation, conducted on August 22, 2012, shows that a recreational fire site has been used to occasionally burn inappropriate materials for disposal purposes within 1000' of adjacent residences in a restricted area. Evidence of the following materials were observed in the fire pit: aluminum foil; cigarette butts; empty cigarette packs; yard waste (weeds/tall grass).

Based on these findings, there is sufficient evidence to determine that illegal open burning did occur and the complaint is justified. This is a violation of both Ohio Administrative Code (OAC) rule 3745-19-03(A) and Ohio Revised Code (ORC) 3704.05.

A copy of the OAC rules pertaining to open burning has been enclosed for your review. Please provide a written response acknowledging your receipt of this letter and your understanding of the rules. If you do not understand the rules please contact this office for additional explanation before responding. Your response is requested no later than September 14, 2012. A similar letter and the OAC rules are also being sent to Allen Machin because he, as the property owner, may be ultimately be held liable for current and future violations.

Because the fire has been extinguished, you are no longer in violation and the property is considered to have returned to compliance.

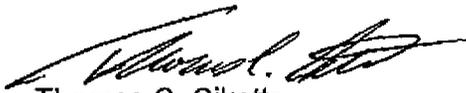
Please be advised that the submission of information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code Section 3704.06.

Mr. Allen Machin  
August 30, 2012  
Page 2

The Ohio EPA will make a decision whether to pursue such penalties regarding this matter at a later date. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is your future compliance with applicable Ohio EPA requirements.

If you have any questions concerning this letter or the regulations, please feel free to call me at (419) 373-3137 or e-mail at [thomas.cikotte@epa.state.oh.us](mailto:thomas.cikotte@epa.state.oh.us).

Sincerely,



Thomas C. Cikotte  
Division of Air Pollution Control

/llr

Enclosure

pc: Sandusky County Health Dept.  
Thomas C. Cikotte, DAPC - NWDO  
Certified Mail Receipt Number 7009 1410 0001 1834 5390

ec: William MacDowell, U.S. EPA Region V  
Bruce Weinberg, DAPC - CO  
Tom Sattler, DAPC - NWDO  
Thomas C. Cikotte, DAPC - NWDO