



**Environmental  
Protection Agency**

John E. Kasich, Governor

Mary Taylor, Lt. Governor

Scott A. Holby, Director

October 17, 2012

**RE: WAYNE COUNTY  
NOTICE OF VIOLATION - OPEN BURNING**

**CERTIFIED MAIL**

Rick Witucki (Town and Country Campground)  
7575 West Schilling Road  
West Salem, Ohio 44287

Dear Mr. Witucki:

The open burning which was conducted at 7575 West Schilling Road, West Salem, Ohio is in violation of Ohio's air pollution regulations and prompt action needs to be taken.

**Cease Burning**

Immediately cease all burning for waste disposal purposes and find an alternate means of disposal.

On October 2, 2012, this office received information from the Wayne County Health Department stating that the open burning of solid waste was occurring at your business. Open burning for a waste disposal purpose is strictly prohibited.

Therefore, you are hereby being notified that the open burning is a violation of OAC Rule 3745-19-04, "Open burning in unrestricted areas" that states in part, "No person shall cause or allow illegal open burning."

Please be advised of OAC Rule 3745-19-06, "Open Burning Unilateral Order," which authorizes the Director to assess and collect administrative penalties of not more than one thousand dollars (**\$1000.00**) per day for each separate violation of open burning. In addition, Section 3704.06, of the Ohio Revised Code, authorizes the Attorney General to seek penalties of up to twenty-five thousand dollars (\$25,000) for conviction of violating the Open Burning Regulations. Each daily violation, after a conviction, constitutes a separate offense and will be subject to the penalties as mentioned above.

Finally, be aware that this letter in no way waives the right of the Ohio EPA to pursue additional enforcement action. If further violations are reported to this office, we will have no alternative than to refer this matter to our legal staff in Columbus for appropriate action. We hope that voluntary compliance will be forthcoming and that this action will not be necessary.

If you have any questions, please contact me at (330) 963-1223.

Sincerely,

Christopher Williams  
District Representative  
Division of Air Pollution Control

CW:bo

pc: Bob Prinic, OEPA, NEDO, DAPC

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