



State of Ohio Environmental Protection Agency

OHIO E.P.A.

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:
NOV 17 2010

P.O. Box 1049
Columbus, OH 43216-1049
ENTERED DIRECTOR'S JOURNAL

CERTIFIED MAIL

November 17, 2010

Reverend Barbara Wuest
12455 SW Kame Terrace Court
Sherwood, OR 97140

Mr. Derek Tomisselo, Owner
Pacific Northwest Property Management, LLC
15686 SW 116th Avenue, #109
King City, OR 97224

Re: Director's Final Findings and Orders for open burning rule violations at Allen Park
Mobile Home Park in Curtice, Ohio

Dear Reverend Wuest and Mr. Tomisselo:

Enclosed are Final Findings and Orders ("Orders") of the Director of Ohio EPA concerning the August 13, 2009 and June 25, 2010, open burning incidents at the Allen Park Mobile Home Park (AKA: Cedar Creek Estates) located at 24475 West Reservation Lane Road, Curtice, Ohio.

These Orders are being issued pursuant to OAC Rule 3745-19-06(A) which states, in part, that through unilateral orders the Director of Ohio EPA may assess a penalty of not more than one thousand dollars (\$1,000) per day for each violation for open burning on commercial property. A copy of this rule is enclosed with this letter for your information.

Should you fail to comply with these Orders, the Director of Ohio EPA, under the authority of ORC § 3704.06, may refer this matter to the Ohio Attorney General's Office and may request the Attorney General to initiate legal action to seek penalties of up to \$25,000 per day of violation.

This action by the Director is final and may be appealed to the Environmental Review Appeals Commission ("Commission") pursuant to ORC § 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director



Reverend Barbara Wuest
Mr. Derek Tomisselo
Pacific Northwest Property Management, LLC
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Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43266-0557

If you decide to appeal, the Director of Ohio EPA and the Ohio Attorney General's Office must be notified within three (3) days of filing with the Commission by sending a copy of the appeal to each of the following addresses:

Director's Office
Ohio EPA
P.O. Box 1049
Columbus, Ohio 43216-1049

Environmental Enforcement Section
Office of Attorney General
30 East Broad Street, 25th Floor
Columbus, Ohio 43215-3428

Please note that the effective date of the Orders is the date that the Orders were entered into the Ohio EPA Director's journal, which is the date stamped on the first page of the Orders.

Sincerely,



James A. Orlemann, P.E.
Assistant Chief
SIP Development and Enforcement

JO:PP:pp

Enclosures

xc: Tom Kalman, DAPC-CO
Patty Porter, DAPC-CO
Stephen Feldmann, Legal Office
Mark Budge/Tom Sattler/Thomas C. Cikotte, NWDO
Priscilla Roberson, DAPC-CO
Jim Orlemann, DAPC-CO
Brenda Case, Fiscal
Carol Hester, PIC



State of Ohio Environmental Protection Agency

OHIO E.P.A.

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215
NOV 17 2010
- HIRED DIRECTOR'S JOURNAL

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www.epa.state.oh.us

P.O. Box 1049
Columbus, OH 43216-1049

CERTIFIED MAIL

November 17, 2010

Mr. Ronnie Shepherd
2729½ Fisher Avenue
Willard, Ohio 44890

Re: Director's Final Findings and Orders for the violation of Ohio Administrative Code Chapter 3745-19 for open burning at 2729½ Fisher Avenue, New Haven Township, Huron County, Ohio

Dear Mr. Shepherd:

Transmitted herewith are the Final Findings and Orders ("Orders") of the Director of Ohio EPA concerning the above-referenced matter.

These Orders are being issued pursuant to OAC Rule 3745-19-06(A) which states that the Director of Ohio EPA may assess a violator not more than two hundred and fifty dollars (\$250) per day for each separate violation of the rules in this Chapter for open burning on residential property. A copy of this rule is attached.

Should you fail to comply with these Orders, the Director of Ohio EPA may refer this matter to the Ohio Attorney General's Office where, under the authority of Ohio Revised Code § 3704.06, the Director may request that the Attorney General pursue legal action and seek civil penalties of up to \$25,000 per day of violation.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission ("Commission") pursuant to Ohio Revised Code § 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

Please note that the effective date of the Orders is the date that the Orders were entered into the Ohio EPA Director's journal, which is the date stamped on the first page of the Orders.

Sincerely,



James A. Orlemann, P.E.
Assistant Chief
SIP Development and Enforcement

JO:JK:jk

Enclosures

xc: Priscilla Roberson, DAPC
Brenda Case, Fiscal
Stephen Feldmann, Legal Office
Tom Kalman, DAPC
Jim Kavalec, DAPC
Mark Budge/Tom Sattler/ Thomas Cikotte, DAPC NWDO