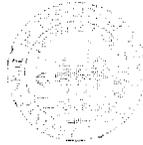


CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

May 2, 2007

CERTIFIED MAIL

Ms. Robin L. Mason
12108 Neapolis-Waterville Rd.
Whitehouse, OH 43571

Re: Notice of Violation

Dear Ms. Mason:

Enclosed is a **Notice of Violation** for non-compliance with the Ohio Administrative Code 3745-19 regarding open burning at 12108 Neapolis-Waterville Rd, Whitehouse, OH. Please review this document carefully as some action is required on your part. If you have any questions regarding this matter, feel free to contact me at (419) 936-3767.

Yours from Toledo – a City of the Future! *

A handwritten signature in cursive script that reads "Lynn M. Pedro".

Lynn M. Pedro
Sr. Environmental Air Specialist

*fDi Magazine-April 2007

LMP/lmp

cc: T. Casey Stephens, Commissioner, TES
Karen Granata, Chief, Air Resources

NOTICE OF VIOLATION

As a contractual Agent for Ohio Environmental Protection Agency, the City of Toledo, Division of Environmental Services hereby serves notice that:

**Ms. Robin L. Mason
12108 Neapolis-Waterville Rd.
Whitehouse, OH**

has violated the following environmental laws, orders, rules, or regulations on the indicated date at the above address.

<u>Regulations Violated</u>	<u>Description and Dates of Violations</u>
OAC Rule 3745-19-04 3745-19-04 Open burning in unrestricted areas. (A) No person or property owner shall cause or allow open burning in an unrestricted area except as provided in paragraphs (B) to (C) of this rule or in section 3704.11 of the Revised Code. Fires allowed by paragraphs (B)(1) and (B)(2) of this rule (cooking for human consumption and certain occupational needs) shall not be used for waste disposal purposes and shall be of the minimum size for their intended purpose; the fuel shall be chosen to minimize the generation and emission of air contaminants.	On April 22, Toledo Division of Environmental Services (TES) witnessed Sterling Mason open burning at 12108 Neapolis-Waterville Road, Whitehouse, OH, 43571. The fire covered approximately a 10 x 10 ft. area NE of the house, and was fueled by unacceptable items such as a bed and tires. The fire was not located at a point on the premises no less than one thousand feet from any inhabited building not located on said premises. Observations were made @ 12:40 AM. Resident was told to extinguish the smoldering fire and ashes upon request from the TES responder.

The above violation(s) may subject the violator to **penalties** of up to \$25,000 per violation. It is possible that a penalty will be assessed in this case. If a penalty is to be assessed, the amount will be determined after your response is reviewed.

Required Actions

Within ***14 days*** of receipt of this Notice of Violation, you shall:

1. Abate the violations or provide for an acceptable remedy.
2. ***Reply in writing*** to this Notice of Violation. The reply shall include:
 - a. Description(s) and date(s) of action(s) taken thus far to abate the violation(s).
 - b. Description(s) and expeditious time schedule of action(s) yet to be taken to remedy the violation(s).
 - c. Description(s) of action(s) taken or to be taken to prevent recurrence of the violation(s).

Your written response, and any questions regarding this Notice of Violation, should be directed to **Lynn M. Pedro**, City of Toledo Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604.