



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)**

October 25, 2012

CERTIFIED MAIL

Ms. Deanna Keegan, Property Owner
946 Northwest Road
Castalia, Ohio 44824

Dear Ms. Keegan:

This office received a complaint on October 18, 2012, concerning open burning being conducted on your property at 7250 East State Route 101 in Clyde, Ohio. My investigation, conducted on October 19, 2012, shows members of Keegan Enterprises, one of the tenants on the property, had burned waste wood products for disposal purposes and in the recent past burned multiple metal frame desks with plastic seats and wood desktops were burned to remove the unwanted wood and plastic components.

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 3745-19-04(A) and Ohio Revised Code (ORC) 3704.05. A copy of the OAC rules pertaining to open burning has been enclosed for your review because you, as the property owner, may be held liable for current and future violations. It is your responsibility to clearly communicate the open burning rules to your tenants and it is ultimately your responsibility to ensure that future violations do not occur on your property.

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 November 12, 2012.

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

Ms. Deanna Keegan, Property Owner
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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. 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.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/llr

Enclosure

pc: Sandusky County Health Department
Thomas C. Cikotte, DAPC - NWDO
Certified Mail Receipt Number 7009 1410 0001 1834 4416

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