

April 15, 2010

Resident
10868 Mahoning Ave.
North Jackson, Ohio 44451

Re: Complaint # 10-030
Notice of Violation

Certified Mail: 7009 1680 0001 7329 2834

Dear Resident:

On March 17, 2010, the Mahoning-Trumbull Air Pollution Control Agency (M-TAPCA) received a complaint concerning open burning of trash and other miscellaneous items at the above stated address. On March 18, 2010 an inspection was done at 10868 Mahoning Ave. At the time of inspection you (resident) indicated that burning activities were being done in a small pit in the backyard. A large pile of miscellaneous burned debris was observed at the time of inspection. (pic attached). I informed you it is illegal to burn anything but clean seasoned firewood in a wood stack no larger than a 2 ft high by 3 ft wide pile. You were advised at this time that burning of any other materials would be considered a violation of the Ohio open burning regulations and fines could be assessed.

On April 14, 2010 a large burn pile of debris consisting of aluminum cans, wood, plastic and other miscellaneous items was observed at the above referenced property. Please be advised you are in violation of Ohio Administrative Code (OAC) 3745-19-03. It is recommended by this agency that the burn pile be properly disposed and all open burning of illegal materials cease immediately to prevent future action.

Ohio Administrative Code 3745-19-06(A) provides that the director of Ohio EPA may assess and Collect, through unilateral orders, civil penalties of not more than one thousand dollars per day for each separate violation of the open burning rules that occurs on industrial, commercial, institutional or municipal property.

Be advised that this violation letter does not constitute a waiver of MTAPCA's ability to pursue further enforcement action through Ohio EPA concerning this or any other violations or to seek penalties as provided in Ohio Revised Code Chapter 3704.

Enclosed is a copy of Ohio's Open Burning Standards for your review. If you have any questions regarding this letter or the regulations, please contact me at (330) 743-3333 extension 283.

Sincerely,

Tara Cioffi, RS
Sanitarian

Cc: Open Burning file