

March 25, 2011

John Kloos
1209 Rose St.
Girard, Ohio 44420

Re: Complaint 1209 Rose St.
Notice of Violation

Certified Mail: 7009 1680 0001 7329 2599

Dear Mr. Kloos:

On March 24, 2011 the Mahoning-Trumbull Air Pollution Control Agency (M-TAPCA) received a complaint concerning open burning of wire and insulating materials the above stated address. On March 16, 2011 the Liberty Fire Department was dispatched to the above referenced address for an open burning complaint. At this time representatives of the Liberty Fire Dept. observed a fire being extinguished. At this time firefighters advised you, John Kloos of the open burning regulations. On March 18, 2011 the Fire Dept. was called out again to investigate another open burning complaint. At the time of the visit firefighters observed a barrel of wires smoldering in the woods at 1209 Rose St. It was stated on the incident report dated March 18, 2011 that Mrs. Kloos advised firefighters that her son, John Kloos has been burning in the back. It was also noted that it appeared insulation was being burned off of wires. There was evidence found by firefighters on March 18, 2011 that other fires have been set on the property. Under Ohio law these materials may not be burned anywhere in the state at anytime.

Please be advised you are in violation of Ohio Administrative Code (OAC) 3745-19-03. It is recommended by this agency that the burning of wire and any other illegal material 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: Liberty Fire Dept.