

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

Re: **Lucas County
Open Burning Complaint
Notice of Violation (NOV) & Return to
Compliance(RTC)**

10/31/12

CERTIFIED MAIL

Jeff Weills
8304 Main Street
Neapolis, Ohio 43547

Dear Mr. Weills,

This office received a complaint on 10/26/12, concerning open burning being conducted on your property. My investigation, conducted on 10/26/12, shows that you were burning yard waste within 1000 feet of an inhabited building.

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) rules 3745-19-04(B)(3)(c). 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 19th, 2012.

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

Please be advised that the submission of the 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 Sections 3704.06. The decision whether to pursue or decline to pursue such penalties regarding this matter is dependant 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 contact me at (419) 936-3777 or email at haley.haggard@toledo.oh.gov.

Sincerely,

Haley Haggard
Environmental Specialist
City of Toledo Division of Environmental Services

Cc: Timothy Murphy, Commissioner, City of Toledo Division of Environmental Services
Karen Granata, Chief of Air Resources, TBS
William, Macdowell, USEPA
John Paulian, Ohio EPA

Timothy D. Murphy, Commissioner
DIVISION OF ENVIRONMENTAL SERVICES
Quilter Environmental Center
348 South Erie Street, Toledo, Ohio 43604-8633 USA
Telephone: 419-936-3015 Fax: 419-936-3959 E-mail: tim.murphy@toledo.oh.gov