

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

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

12/04/2012

CERTIFIED MAIL

Timothy Fletcher
13735 Neowash Rd
Grand Rapids, Ohio 43522

Dear Mr. Fletcher,

This office received a complaint on 11/29/12, concerning open burning being conducted on your property. My investigation, conducted on 11/30/12, 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 12/18/12.

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) 936-3761 or email at courtney.kuehne@toledo.oh.gov.

Sincerely,

Courtney Kuehne
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, TES
Brian Dickens, USEPA
John Paulian, Ohio EPA

Timothy D. Murphy, Commissioner
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