



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)

August 9, 2013

CERTIFIED MAIL

Ms. Judy Mauch
Washusky Farms Ltd.
Property Owner
3862 County Road 111
Lindsey, Ohio 43442

Dear Ms. Mauch:

This office received a complaint on July 29, 2013, concerning open burning being conducted on your property. My investigation, conducted on July 30, 2013, shows the older residential structure and an out-building, were demolished and burned for disposal purposes in an excavated hole on the property.

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.

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

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 August 26, 2013.

Please note that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. Ohio EPA will determine later whether to pursue such penalties in this case. 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.

Ms. Judy Mauch
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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

/cg

Enclosure

pc: Sandusky County Health Department
Thomas C. Cikotte, DAPC – NWDO
Certified Mail Receipt Number 70091410000118346410

ec: Bruce Weinberg, DAPC - CO
Tom Sattler, DAPC - NWDO
Thomas C. Cikotte, DAPC – NWDO