



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

September 17, 2013

RE: **NOTICE OF VIOLATION**  
OPEN BURNING  
7005 PARKVIEW DR  
WILLIAMSFIELD TWP, OH 44003  
LAT. 41.545699, LONG. -80.531778

**CERTIFIED MAIL**  
N13-0367

Michael P. Coe  
7005 Parkview Dr.  
Andover, OH 44003

Dear Mr. Coe:

On September 11, 2013, the Ohio EPA Northeast District Office (NEDO), Division of Air Pollution Control (DAPC), received a complaint of open burning of a recently excavated tree stump which the complainant stated was doused with vehicle fuel in order to facilitate the burning. On September 12, 2013, the undersigned and Richard Kolosionek visited the area and found a large pile that did in fact appear to be chunks of a tree stump next to a burn barrel which had similar pieces and what appeared to be green wood protruding from the top of the barrel. Upon closer examination of the wood, it would appear that dirt present on the pieces of the stump may confirm the recent removal of the stump from the ground. Based upon the items witnessed, the burning of this material in this fashion is prohibited due to multiple reasons. The first is that it would appear that the fire utilized wood that was not properly seasoned. Secondly, even in an unrestricted area, the size of this fire is greater than the allowable size (2 feet by 3 feet) when the fire is located on the premises less than 1000 feet from any inhabited building not located on said premises. Additionally, if either gasoline or diesel fuel were used in order ignite this material, it would also be prohibited.

On May 31, 2013, in response to a previous complaint, the undersigned spoke with you at length about what materials are acceptable for open burning and the limits on the size of the fire that would be permissible. Based upon the previous visit, you received a certified warning letter which was signed for on July 20, 2013.

MICHAEL P. COE  
SEPTEMBER 17, 2013  
PAGE 2

In view of the above facts, the open burning conducted at 7005 Parkview Drive in Williamsfield Township, Ohio within Ashtabula County on or about September 11, 2013, was in violation of OAC Rule 3745-19-04 which prohibits open burning for the purpose of waste disposal in unrestricted areas. Further, OAC Rule 3745-19-06 provides a penalty of up to two hundred-fifty dollars (\$250) per day per violation of the open burning regulations.

This Notice of Violation in no way waives the right of Ohio EPA or U.S. EPA to pursue additional enforcement action. Further communications may be directed to you regarding this violation or additional violations that may be found.

Clarification, explanation or evidence pertaining to this violation should be brought to our immediate attention. If you have any questions, please contact me at (330) 963-1209 or Bob Princic at (330) 963-1230.

Sincerely,



Edward R. Van Valkenburgh  
District Representative  
Division of Air Pollution Control

EVV:bo

enclosure: "Before You Light It... Know Ohio's Open Burning Regulations" pamphlet

pc: Ray Saporito, Ashtabula County Health Department  
Matthew Kirin

ec: Ed Fasko, DAPC, NEDO  
Bob Princic, DAPC, NEDO