



State of Ohio Environmental Protection Agency

401 East Fifth Street
Dayton, Ohio 45402-2911

Southwest District

TELE: (937)285-6357 FAX: (937)285-6249
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

April 17, 2009

CERTIFIED MAIL

Mr. Fred Channell
C/O Channell Equipment
338 W. Dallas Road
Urbana, Ohio 43078

NOTICE OF VIOLATION

Dear Mr. Channell:

Based on the photographs taken by the Urbana Fire Division and our investigation of the open burning that occurred on or about April 14, 2009, at your 4527 State Route 54, Urbana property constituted a violation of Ohio Administrative Code (OAC) open burning regulations.

The purpose of this letter is to:

- inform you of about open burning violations of Ohio's open burning;
- inform you of possible Solid Waste violations; and
- request your cooperation to immediately halt any open burning that is in violation of the attached OAC open burning rules.

Open burning violations:

The open burning of tires, household furniture, and other waste materials that appear in the in the phonographs taken by the Urbana Fire Division on April 14, 2009, constitutes a violation of OAC rule 3745-19-04(A) and 3745-19-04(B)(3)(c). OAC rule 3745-19-04(A) states that unless specifically listed under OAC rules 3745-19-03(B) to (D) or in section 3704.11 of the Ohio Revised Code, no person or property owner shall cause or allow open burning. Section 04(B)(3)(c) states that no materials burned may contain rubber, grease, asphalt or liquid petroleum products.

Possible Solid Waste violations:

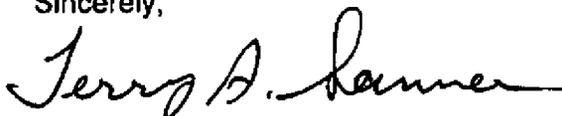
For information on possible Solid Waste violations and corrective actions, please contact Mr. Russell Wellman, of the Champaign County Health District through their general phone number of (937) 484-1605.

Immediate halt of open burning in violation of OAC open burning rules:

Based on the above information, you are requested to halt any additional open burning that would be in violation of the Ohio Administrative Code.

If you have any questions or comments, or wish to discuss this matter further, please feel free to contact me at (937)285-6032.

Sincerely,



Terry Sanner
Environmental Specialist
Southwest District Office
Division of Air Pollution Control

cc: Capt. Dave Torsell, Urbana Fire Division
Jill Olberding, Ohio EPA SWDO/DSIWM
Pat Willoughby, Ohio EPA, SWDO/DSIWM
Tom Schneider, Ohio EPA, SWDO/DAPC/OFFO
John Paulian, Ohio EPA CO/DAPC
Lisa Holscher, U.S. EPA Region 5
Russell Wellman, Champaign County Health District

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