



State of Ohio Environmental Protection Agency

Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

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

CERTIFIED MAIL

May 14, 2008

Mr. LeRoy Shaffer
L & L Roofing, Inc.
9391 Pigeon Roost Road
Hillsboro, Ohio 45133

NOTICE OF VIOLATION

Dear Mr. Shaffer:

You are hereby notified that the Ohio Environmental Protection Agency (Ohio EPA) finds you to be in violation of Ohio's open burning regulations. On May 2, 2008 an open burning complaint was filed with the agency. I investigated this complaint on May 7, 2008 and determined that open burning of solid waste occurred at or near property owned by you at 9391 Pigeon Roost Road, Hillsboro, Ohio.

The violations you have committed include, but are not limited to the following:

- The open burning of solid wastes, including solid wastes made from petroleum products including plastics, and treated lumber.

The above identified activities are in violation of Ohio Administrative Code (OAC) rule 3745-19-04, *Open burning in unrestricted areas*, and Ohio Revised Code (ORC) Section 3704.03. In addition, the open burning of solid waste is in violation of OAC rule 3745-27-05(B) and ORC Section 3734.03.

You must cease all illegal open burning.

This is the second warning that has been issued to you due to violations of open burning regulations. The first warning was provided to you on September 22, 2006. Any subsequent violations will be referred to our Central Office for enforcement action with the recommendation for a significant monetary penalty. The Ohio EPA reserves the right, pursuant to Chapters 3704, 3714, 3734, 3745, and 3750 of the Ohio Revised Code and any other applicable state or federal laws or regulations to seek civil and/or criminal action, reimbursement of response costs and any other appropriate legal or equitable relief for any violation of law.

Mr. LeRoy Shaffer
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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,



~~Jerry A. Sanner~~
Jerry A. Sanner
Environmental Specialist
Southwest District Office
Division of Air Pollution Control

cc: Hillsboro Fire Department
Mary Ann Web, Highland County Health District
John Paulian, CO/DAPC
Pat Willoughby, SWDO/DSIWM
Lisa Holscher U.S. EPA, Region V

TAS/plh