



**Environmental
Protection Agency**

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

September 30, 2011

Re: Athens County
Open Burning
Complaint 30002036

Certified: 70101060000178963119

Mr. Brad Bobo
16251 Main St.
Millfield, Ohio 45761

Dear Mr. Bobo:

I am writing this letter in response to a complaint received by this office on September 2, 2011. The complaint alleges that you are burning waste materials from an old building.

On September 15, 2011, I investigated this complaint. Evidence of the open burning of sticks, logs and painted lumber was observed. I attempted to speak to you but you were not home at the time of my investigation. I did speak to a neighbor to make sure I had found your property. The neighbor confirmed that I found the right property and told me that you do occasionally have large fires.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area (as your property is) and the burn site must be at least 1,000 feet from any inhabited building not on your property. Because there is not a burn site location on your property that is at least 1,000 feet from any inhabited building not on your property, you cannot open burn residential waste at this location. Demolition waste materials including lumber, lathe boards or any type of painted wood cannot be open burned in Ohio.

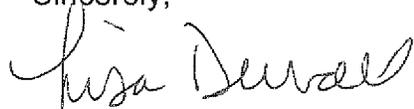
Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. I am enclosing a pamphlet that explains this rule for you. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If you continue to open burn improper waste materials, legal action will be taken against you.

I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for cleanup of the burn area and any remaining solid wastes, and a copy of the landfill receipt as proof of proper disposal. Acceptance by the Ohio EPA of a schedule for compliance does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

Mr. Brad Bobo
September 30, 2011
Page 2

If you have any questions regarding this matter, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall". The signature is written in black ink and is positioned to the left of the typed name.

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure