



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490  
www.epa.state.oh.us

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

October 5, 2009

**Re: Athens County  
Open Burning  
Complaint 30001103**

**Certified Mail 70073020000178820452**

Mr. Delbert Skinner  
14581 State Route 13  
Millfield, Ohio 45761

Dear Mr. Skinner:

I am writing this letter in response to a report from the Chauncey-Dover Fire Department. The report states that on September 18, 2009 you were burning shingles, paint cans and wood from a garage that had been torn down.

Demolition debris, including wood, asphalt shingles, paint, tar paper, furniture, tires, automobile parts, garbage, etc., cannot be open burned anywhere in Ohio. Open burning 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 copy of 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.

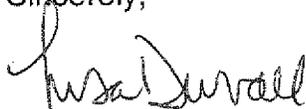
I am requesting a written response from you, within 14 days of receipt of this letter, that includes a commitment form you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for clean up of the burn area and any remaining solid wastes, and a copy of the landfill receipt as 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.

A copy of this letter is being forwarded to the local health department. The information within this letter can be evaluated by local health department and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

Mr. Delbert Skinner  
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If you have any questions regarding this matter, please contact me at (740) 380-5217.

Sincerely,

A handwritten signature in black ink that reads "Lisa Duvall". The signature is written in a cursive style with a large initial "L".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/dh

Enclosures

cc: Athens County Health District  
cc: Chauncey-Dover Fire Department