



State of Ohio Environmental Protection Agency

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Central District Office

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May 1, 2008

NOTICE OF VIOLATION

Mr. Jack Fishburn
P.O. Box 278
Marengo, OH 43334

Dear Mr. Fishburn:

This confirms our conversation of April 29, 2008, wherein I advised you that you were open burning south of 5537 State Route 229, Marengo, Ohio in violation of Ohio Administrative Code (OAC) 3745-19.

Specifically, you were open burning land clearing waste without the use of an air curtain destructor as required by your permit and by OAC rule 3745-19-04(C)(4)(d).

We are noting that we sent you a Notice of Violation for illegally burning at this location on March 5, 2008. We are also noting that we sent you a Notice of Violation for open burning at a different location on February 23, 2006, and then we sent you another Notice of Violation for open burning on April 7, 2006.

This letter is not a final action of the Director of Ohio EPA and is intended only as a notification of a violation of the Ohio environmental laws and regulations. It does not preclude Ohio EPA or any other governmental entity from further enforcement action.

Should you have any questions, please do not hesitate to call me at (614) 728-3808.

Sincerely,

David Burroughs
Environmental Specialist
Division of Air Pollution Control
Central District Office

c: Chief Rick Cramer, Big Walnut Joint Fire Department
Tom Harden, Sheriff of Morrow County
Adam Ward, DAPC/CDO

DB/ct fishburn2

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