



State of Ohio Environmental Protection Agency

STREET ADDRESS:

**Central District Office**

MAILING ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 728-3778 FAX: (614) 728-3898  
www.epa.state.oh.us

P.O. Box 1049  
Columbus, OH 43216-1049

**CERTIFIED MAIL # 91 7108 2133 3932 4450 5596**

March 5, 2008

**NOTICE OF VIOLATION**

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

Dear Mr. Fishburn:

This confirms our conversation of March 5, 2008 wherein I advised you that you were open burning south of 5537 State Route 229, Marengo, in violation of Ohio Administrative Code (OAC) 3745-19.

Specifically, you were open burning agricultural waste within 1,000 feet from the nearest inhabited building off said premises.

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 Paul Mills, Big Walnut Joint Fire Department  
Tom Harden, Sheriff of Morrow County  
Adam Ward, DAPC/CDO

DB/ct fishburn1

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