



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 8894**

**NOTICE OF VIOLATION**

August 21, 2007

David McNeal  
541 Pollock Road  
Delaware, OH 43015

Dear Mr. McNeal:

This letter confirms our conversation of August 17, 2007, wherein I advised you that you were open burning in violation of Ohio Administrative Code (OAC) 3745-19. These actions are subject to fines and penalties.

Specifically, you were open burning landscape waste within 1,000 feet from the nearest inhabited building off the premises. You claimed that you had a pleasure fire the previous evening and it was still smoldering. However, once you left the area, the fire was no longer a pleasure fire and you needed to completely extinguish it. There was also evidence of leaves and green pine boughs in the fire which are not considered to be clean burning fuels as required by the rule for pleasure fires.

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 Troy Morris, Tri-Township Fire Department  
Walter L. Davis III, Sheriff of Delaware County  
Isaac Robinson, DAPC/CDO

DB/ct mcneal541 pollock

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