

**Environmental
Protection Agency**

Tim Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

March 30, 2010

CERTIFIED MAIL

Ms. Vicky L. Walls
10141 State Route 73
New Vienna, Ohio 45159

NOTICE OF VIOLATION

Dear Ms. Walls;

You are hereby notified that the Ohio Environmental Protection Agency (Ohio EPA) finds you to be in violation of Ohio's open burning regulations. On March 22, 2010 an open burning complaint was filed with the agency. As part of the normal research done with open burn complaints, it was discovered that a previous open burning complaint was filed on October 14, 2009. I investigated the first complaint on October 23, 2009. A male resident stated he did not know anything about any open burning. I left informational brochures with the individual who stated he would make sure you got the information. I requested that he ask you to call me to discuss the complaint. No call was ever received. I investigated the second complaint on March 24, 2010. On this occasion, it was determined that open burning of solid waste had occurred on your property at 10141 SR 73, New Vienna, Ohio.

The violations you have committed include, but are not limited to the following:

- The open burning of solid wastes, including solid wastes made from petroleum products including tires.
- Open burning within one thousand (1000) feet of an inhabited building not located on said premises.

The above identified activities are in violation of Ohio Administrative Code (OAC) rule 3745-19-04, Open burning in an unrestricted area, and Ohio Revised Code (ORC) Section 3704.03. In addition, the open burning of solid waste is in violation of OAC rule 3745-27-05(B) and ORC Section 3734.03.

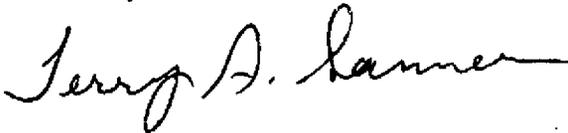
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You must cease all illegal open burning.

Please be aware that this investigation will be sent to our Central Office for further review and possible enforcement. The Ohio EPA reserves the right, pursuant to Chapters 3704, 3714, 3734, 3745, and 3750 of the Ohio Revised Code and any other applicable state or federal laws or regulations to seek civil and/or criminal action, reimbursement of response costs and any other appropriate legal or equitable relief for any violation of law.

If you have any questions or comments, or wish to discuss this matter further, please feel free to contact me at (937) 285-6032.

Sincerely,



Terry A. Sanner
Environmental Specialist
Southwest District Office
Division of Air Pollution Control

cc: Terry A. Sanner, SWDO/DAPC

ec: Chief Johnson, Clinton Highland Joint Fire District
Highland County Health District
John Paulian, CO/DAPC
Lisa Holscher U.S. EPA, Region V

TAS\bp