

**Environmental
Protection Agency**

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

April 12, 2010

CERTIFIED MAIL

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

NOTICE OF VIOLATION

Dear Ms. Walls:

The purpose of this letter is to inform you that you are in violation of Ohio's open burning regulations. On several occasions you have open burned solid waste and other wastes, including tires, at your property located at 10141 State Route 73, New Vienna, Highland County.

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 vehicle tires.**
- **Open burning within 1000 feet of an occupied dwelling not located on said property.**

The above identified activities are in violation of Ohio Administrative Code (OAC) rule 3745-19-03, Open burning in restricted areas, 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.

You must cease all illegal open burning.

Based on the evidence I observed, which included several areas of obvious open burning, this has been an on going violation. During my visit on October 23, 2009, I gave your son brochures which contained information concerning Ohio's open burning regulations. On my March 24, 2010 visit I observed the large burn pile at the rear of your property. On this occasion, it was determined that open burning of solid waste had occurred on your property at 10141 SR 73, New Vienna, Ohio.

Ms. Vicky L. Wallis

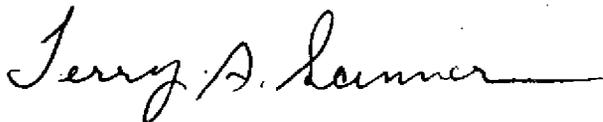
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Due to the recalcitrant nature of the open burning this investigation will be sent to our Central Office for further review and possible enforcement. The Ohio EPA reserves the right, pursuant to Chapters 3704, 3714, 3734, 3745, and 3750 of the Ohio 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

