

**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korteski, Director

April 16, 2010

CERTIFIED MAIL

Mr. Wallace Lynn Geuy
8673 West State Route 29
DeGraff, Ohio 43318

NOTICE OF VIOLATION

Dear Mr. Geuy:

On April 12, 2010, this office conducted an open burning complaint involving possible open burning and disposal of waste materials at your residence. During our investigation, you showed us a large pit area south of your pole barn and a fenced in burn area located on the east side of your property.

Please be aware that the open burning on your propriety constitutes violations of the Ohio Administrative Code (OAC) air pollution rule under OAC Chapter 3745-19-04, and Ohio Revised Code (ORC) Section 3704.11. You are requested to take immediate steps to prevent any additional and/or future violations of the open burning rules on your propriety.

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

- **The open burning for waste disposal purposes; and**
- **The open burning of residential waste within a thousand feet from an inhabited building not located on your premise.**

Please be aware that this investigation will be sent to our Central Office for their review and possible enforcement action. 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.

This investigation has also been forwarded to our Division of Solid and infection waste Management (DSIWM) for their review.

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If you have any questions or comments, or wish to discuss this matter further, please feel free to contact me at (937) 285-6063.

Sincerely,



Craig Osborne
Southwest District Office
Division of Air Pollution Control

ec: Lisa Holscher, U.S. EPA, Region 5;
John Paulian, CO/DAPC;
Tom Schneider, SWDO/DAPC; and
Craig Osborne, SWDO DAPC

CO/bp