

**Environmental
Protection Agency**

Ted Strickland, Governor
Lev Fisher, Lt. Governor
Chris Korfusik, Director

June 28, 2010

Mr. Joe Hunley
701 Greenbush Road East
Mt. Orab, Ohio 45154

CERTIFIED MAIL

NOTICE OF VIOLATION

Dear Mr. Hunley:

You are hereby notified that the Ohio Environmental Protection Agency (Ohio EPA) finds you to be in violation of state and federal regulations as they relate to demolition procedures for asbestos emission control as well as Ohio's open burning and solid waste regulations. In response to a complaint filed with the agency, it was determined that open burning of solid waste and other wastes occurred at your property located at property owned by you at or near 701 Greenbush Road East, Mt. Orab, 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 plastics, electrical boxes and wire insulation.
- The open burning of demolition debris, including treated wood.

The above identified activities are in violation of Ohio Administrative Code (OAC) rule 3745-19-04, *Open burning in unrestricted 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, and the open burning of demolition debris is in violation of OAC rule 3745-400-04 and ORC Section 3714.02.

You must cease all illegal open burning.

This matter is considered resolved with the issuance of this Notice of Violation. However, please be aware that any subsequent violations 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.

Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

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937 | 285 6249 (fax)
www.epa.ohio.gov

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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)285-6032.

Sincerely,



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

TAS/kla

cc: Tom Schneider, DAPC, SWDO
Tracy Buchanan, DSIWM, SWDO
Pat Willoughby, DSIWM, SWDO
Lisa Holscher, USEPA, Region 5
John Paulian, DAPC, CO
Kyle Arn, Highland County Health Department