



**Environmental
Protection Agency**

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

September 8, 2010

Ms. Viennese Ball
5800 Powell Rd.,
New Vienna, OH 45159

CERTIFIED MAIL

Warning Letter

Dear Ms. Ball;

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 Sept. 1, 2010, an open burning complaint was filed with the Agency. On this occasion, it was determined that open burning of solid waste had occurred at or near your property across from 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 for waste disposal purposes.
- 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.

You must cease all illegal open burning.

Please be aware that any future violations of the open burning regulation will initiate an Enforcement Action Referral (EAR) to 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.

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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,

A handwritten signature in cursive script that reads "Craig Osborne".

Craig Osborne
Environmental Specialist
Southwest District Office
Division of Air Pollution Control

CO/ka

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