



**Environmental
Protection Agency**

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

Sept. 21, 2010

Richard James
6509 Sleepy Hollow Lane,
Hillsboro, Ohio 45133

CERTIFIED MAIL

NOTICE OF VIOLATION

Dear Mr. James,

You are hereby notified that the Ohio Environmental Protection Agency (Ohio EPA) finds you to be in violation of state regulations as they relate to the use of open burning for waste disposal purposes. In response to a complaint filed with the agency, it was determined during our September 22, 2010 investigation that open burning of solid waste and other wastes occurred at your property located at 6509 Sleepy Hollow Lane, Paint Township, Highland County, Ohio.

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

- The open burning of solid wastes, including solid wastes made from petroleum products including plastics and rubber; and
- The open burning of residential waste within a thousand feet of neighboring houses not located on the property.

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.

You must cease all illegal open burning.

Please be aware that any subsequent violations will be sent to our Central Office for further review and 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,



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

CO/ka

cc: Kyle Arn, Highland County Health Department
ec: Tom Schneider, DAPC, SWDO
Lisa Holscher, USEPA, Region 5
John Paulian, DAPC, CO
Craig Osborne, DAPC, SWDO