



**Environmental
Protection Agency**

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

October 07, 2010

CERTIFIED MAIL

Trustees of the Sabina Cemetery and
Mr. David A. Michael, Sexton
330 N. College Street
Sabina, Ohio-45169

NOTICE OF VIOLATION

Dear Trustees:

On September 30, 2010, this office conducted an open burning complaint investigation at Sabina Cemetery Property. Mr. Craig Osborne and Mr. Madhava Rao Dasari conducted the investigation. During our investigation, we discovered a burned pile of Cemetery waste, flower pots, plastic bottles and residential waste, and a bag containing residential waste on your cemetery property. Previously, both Ohio EPA Emergency Response and Clinton County Health Department staff conducted investigations of the property.

Please be aware that the open burning of cemetery waste and any other waste material on your propriety constitutes violations of the Ohio Administrative Code (OAC) air pollution rule under OAC Chapter 3745-19-03, 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 use of open burning for waste disposal purposes; and**
- **The open burning of waste within a thousand feet from inhabited buildings.**

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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.

If you have any questions or comments, or wish to discuss this matter further, please feel free to contact me at (937)285-6110

Sincerely,

M. R. Dasari
Madhava Rao Dasari
Southwest District Office
Division of Air Pollution Control

ec:

John Paulian, CO/DAPC;
Tom Schneider, SWDO/DAPC;
Craig Osborne, SWDO DAPC;
Jim Crawford, SWDO ER and
Ms. Tracy Buchanan SWDO DSIWM

cc: Matt Johannes, Clinton County Health Department