

**Environmental
Protection Agency**

Tim Strickland, Governor
Lore Fisher, Lt. Governor
Chris Kowalski, Director

December 7, 2010

CERTIFIED MAIL

Mr. Mike Lamb and Ms. Marcia Shaw
1094 Katys Lane
Wilmington, Ohio 45177

NOTICE OF VIOLATION

Dear Mr. Lamb and Ms. Shaw:

Based on a complaint and documentation received from the Assistant Chief, Chester Township Volunteer Fire Department and the Ohio EPA's investigation, the open burning that occurred at your 1094 Katys Lane residence, on or about September 19, 2010 and December 1, 2010, constituted violations of Ohio Administrative Code (OAC) air pollution rule under OAC Chapter 3745-19-04, and Ohio Revised Code (ORC) Section 3704.11.

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

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

The open burning of petroleum based products, household waste, and other waste materials that appear in the photographs taken by the Chester Township Fire Chief December 1, 2010, constitutes a violation of OAC rule 3745-19-04(A). Unless specifically listed under OAC rules 3745-19-04(B) or (C) or in section 3704.11 of the Ohio Revised Code, no person or property owner shall cause or allow open burning.

Based on the above information, you are requested to halt any and all open burning that would be in violation of Ohio's open burning rules.

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.

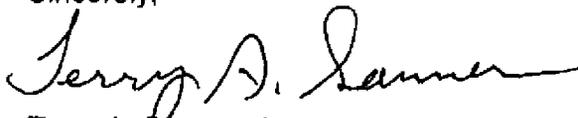
Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

937 | 285 6357
937 | 285 6249 (fax)
www.epa.ohio.gov

Mr. Mike Lamb and Ms. Marcia Shaw
December 7, 2010
Page 2

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

ec: William MacDowell, U.S. EPA, Region 5;
John Paulian, CO/DAPC;

cc: Chief, Chester Township V.F.D.
Ms. Kimberly Mullinex

TAS/mab

**Environmental
Protection Agency**

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

January 6, 2011

NOTICE OF VIOLATION

Mr. Mike Lamb and Ms. Marcia Shaw
1094 Katys Lane
Wilmington, OH 45177

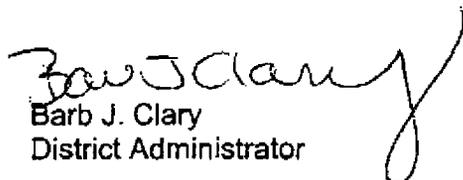
Dear Mr. Lamb and Ms. Shaw:

On December 7, 2010, Terry Sanner sent you a Notice of Violation letter via certified mail. This certified letter was returned to the Ohio EPA Southwest District Office marked "Unclaimed, Unable to Forward."

Please find enclosed the original Notice of Violation letter addressed to you and dated December 7, 2010.

If you have any questions please feel free to contact Terry Sanner at 937-285-6032.

Sincerely,


Barb J. Clary
District Administrator



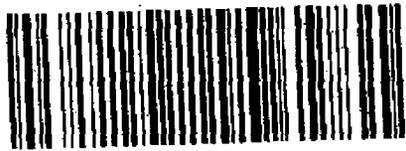
State of Ohio Environmental Protection Agency

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

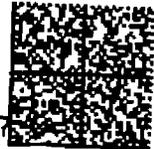
EPA 2306 (rev. 4-94)

*TERRY
SANDER - DAPC*

IDENTIFIED MAIL



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UNITED STATES POSTAGE
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MAILED FROM ZIP C

MR MIKE LAMB AND MS MARCIA SHAW
1094 KATYS LANE
WILMINGTON OH 45177

Name mg
1st Notice 12-8
2nd Notice ---

NIXIE 454 SE 1 0012

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

45177-2911
45402-2911

BC: 45402291101 *2215-05362-



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>MR MIKE LAMB AND MS MARCIA SHAW 1094 KATYS LANE WILMINGTON OH 45177</p>	<p>X Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service it</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7007 0220 0001 2491 6427</p>	
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 102585-02-M-1540</p>