



State of Ohio Environmental Protection Agency

Southwest District Office

401 E. Fifth St.
Dayton, Ohio 45402

TELE: (937) 285-6357 FAX: (937) 285-6249
www.epa.state.oh.us

Ted Strickland, Governor
Les Fisher, Lieutenant Governor
Chris Korlesk, Director

March 18, 2009

CERTIFIED MAIL

Mr. Ryan Messer
616 Lynn Street
Sidney, Ohio 45365

NOTICE OF VIOLATION

Dear Mr. Messer:

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 March 16, 2009, it was determined that open burning of solid waste occurred at your property at 616 Lynn Street, Sidney, Ohio.

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

1. The use of open burning for wastes disposal purposes.

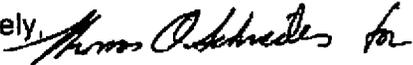
The above identified activities are in violation of Ohio Administrative Code (OAC) rule 3745-19-03, *Open burning in restricted areas*, and Ohio Revised Code (ORC) Section 3704.03. In addition, the open burning of solid waste is in violation of OAC rule 3745-27-05(B) and ORC Section 3734.03.

You must cease all illegal open burning.

Any subsequent violations will be referred to our Central Office for enforcement action with the recommendation for a significant monetary penalty. 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.

Mr. Ryan Messer
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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)285-6075.

Sincerely,  for

George Nemore
Environmental Specialist
Southwest District Office
Division of Air Pollution Control

cc: John Paulian, CO/DAPC
Lisa Holscher U.S. EPA, Region V
Tom Schneider, SWDO/DAPC