



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
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

CERTIFIED MAIL

July 30, 2009

Mr. Charlie Stapleton
411 Virginia Avenue
Troy, Ohio 45373

NOTICE OF VIOLATION

Dear Mr. Stapleton:

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 July 29, 2009, it was determined that open burning of solid waste occurred at your property located at Shady Bowl Speedway 9892 Flowing Well Road, Degraff, Ohio.

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

- 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 a 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.

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,

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

ec: John Paulian, CO/DAPC Lisa Holscher U.S. EPA, Region V
Thomas A. Schneider, Air Pollution Control SWDO

GN/plh