



Environmental  
Protection Agency

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

July 9, 2012

**CERTIFIED MAIL**

Mr. Leroy Brodess  
7481 Mad River Road  
Hillsboro, Ohio 45133

### **NOTICE OF VIOLATION**

Dear Mr. Brodess:

You are hereby notified that the Ohio Environmental Protection Agency (Ohio EPA) finds you to be in violation of Ohio's open burning and solid waste regulations. In response to a complaint filed with the Agency, it was determined that open burning of solid waste and other wastes occurred at property owned by you at 7481 Mad River Road in Hillsboro, Ohio.

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

- The open burning of solid wastes, including solid wastes made from petroleum products including plastic.
- The open burning of treated wood.
- Open burning in a restricted area within 1000 feet of an occupied dwelling.

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. In addition, the open burning of solid waste is in violation of OAC Rule 3745-27-05(B) and ORC Section 3734.03, and the open burning of demolition debris is in violation of OAC Rule 3745-400-04 and ORC Section 3714.02.

#### **You must cease all illegal open burning.**

This matter will be sent to our central office for further review and possible enforcement action. 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](http://www.epa.ohio.gov)

Mr. Leroy Brodess  
July 9, 2012  
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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) 285-6032.

Sincerely,

A handwritten signature in cursive script that reads "Terry A. Sanner".

Terry A. Sanner  
Environmental Specialist  
Division of Air Pollution Control

TAS/uf

ec: Tom Schneider, DAPC, SWDO  
William MacDowell, U.S. EPA, Region 5  
Tom Kalman, DAPC, CO  
Chief, Hillsboro Fire & Rescue

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Mr. Leroy Brodess 7481 Mad River Road Hillsboro, Ohio 45133		

PS Form 3800, August 2001 See Reverse for Instructions

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1. Article Addressed to:  <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">                     Mr. Leroy Brodess                      7481 Mad River Road                      Hillsboro, Ohio 45133                 </div>	B. Received by (Printed Name) <i>JAMES Brodess</i>
	C. Date of Delivery <i>7/11/12</i>
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