

**HAMILTON COUNTY
ENVIRONMENTAL
SERVICES**

April 14, 2008

Mr. Tom Prior
Fort Scott Development Company
6581 Harrison Avenue
Cincinnati, OH 45247

RE: VIOLATION OF OHIO OPEN BURNING STANDARDS - OAC § 3745-19

Dear Mr. Prior:

On April 14, 2008, DOES received a complaint for open burning at a construction/demolition site on New Haven Road, near SR 128. An agency investigator responded to the complaint and found open burning in violation of Ohio Administrative Code (OAC) § 3745-19-04. Remains of a building were found to be burning, unattended at the site.

Ohio Administrative Code (OAC) § 3745-19-04 prohibits the open burning of buildings, except for the purpose of fire training. No open burning for fire training may be done at any time without applying for and obtaining a permit from this agency. No fires may be left unattended.

Receipt of this correspondence does not constitute a waiver of the OEPA's authority to seek civil penalties as provided in Section 3704.06 of the ORC. The determination to pursue such penalties in this case will be made at a later date.

The violations identified above also constitute a violation of Hamilton County Public Health rules. Hamilton County Public Health rules are enforced by the Hamilton County Department of Environmental Services.

You may call 946-7711 with questions regarding this correspondence.

Sincerely,



Michael Fair
Environmental Compliance Specialist

cc: Kerri Castlen, DOES
Chief Bruce Downard, Crosby Township Fire Department