

**HAMILTON COUNTY
ENVIRONMENTAL
SERVICES**

November 3, 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Donald Combs
Combs Trucking
1503 State Route 28
Loveland, OH 45140

RE: NOTICE OF VIOLATION FOR DOCUMENTED VIOLATIONS OF OHIO
OPEN BURNING STANDARDS - OAC 3745-19-04

Dear Mr. Combs:

You were notified, by The Hamilton County Department of Environmental Services, of violations of the Ohio's open burning standards, by certified mail in a letter dated August 25, 2008. You were advised to suspend all open burning and required to submit a compliance plan that included your written commitment to cease illegal open burning as well as a disposal plan for the remainder of the material. To date no compliance plan has been received.

Following your receipt of the initial letter, Goshen Township Fire Department responded to five additional open burning calls. In all cases, violations of Ohio Administrative Code § 3745-19-04 were documented.

At this time you are required to submit a compliance plan to this agency to the attention of Kerri Castlen, Enforcement Supervisor. The plan should include a written commitment to suspend all burning in violation of OAC standards and a disposal plan for the remaining material at Combs Trucking. This plan should be received not later than seven days following receipt of this correspondence. Copies of the compliance plan should be sent to Goshen Township Fire & EMS, to the attention of Chief Virgil Murphy at 1849 State Route 28, Goshen, OH, 45122 and The Clermont County General Health District, to the attention of Ms. Marty Lambert at 2275 Bauer Road, Batavia, OH 45103.

Be advised that failure to comply with the requirements of this letter may result in additional enforcement action, including possible referral of this case to the Office of the Ohio Attorney General. Acceptance by the Ohio EPA of a compliance plan does not constitute a waiver of the EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code.

The determination to pursue or to decline to pursue such penalties in this case will be made by the Ohio EPA at a later date. The violations identified above also constitute a violation of Clermont County General Health District rules. Clermont County General Health District rules are enforced by the Hamilton County Department of Environmental Services.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Fair", written in a cursive style.

Michael Fair

Environmental Compliance Specialist

cc: Chief Virgil Murphy, Goshen Twp Fire and EMS
Ms. Marty Lambert, Clermont County General Health District
Ms. Kerri Castlen, HC-DOES