

**HAMILTON COUNTY  
ENVIRONMENTAL  
SERVICES**

February 12, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. John Shular  
4736 Ward Road  
Morrow, OH 45152

**RE: OPEN BURNING IN VIOLATION OF OAC 3745-19-04**

Dear Mr. Shular:

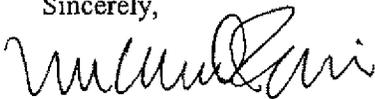
A complaint was forwarded to this agency by the Warren County Health District. Evidence was presented of a willful and knowing violation of Ohio Administrative Code (OAC) § 3745-19-04. An investigation by this agency found burned plastic, rubber and the remains of animals. The Ohio rule prohibits the open burning of these items.

**You are required submit to this agency, a written commitment to suspend all open burning in violation of OAC standards. That written commitment should be received no later than 10 days following receipt of this correspondence.**

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 Warren County Combined Health District rules. Warren County Combined Health District rules are enforced by the Hamilton County Department of Environmental Services.

Sincerely,



Michael Fair  
Environmental Compliance Specialist

cc: Chief Fred LaFollette; Morrow Fire Department  
Duane Stansbury; Warren County Combined Health District  
Kerri Castlen, Hamilton County Department of Environmental Services  
Laurie Lovelace, Warren County Combined Health District