

**HAMILTON COUNTY  
ENVIRONMENTAL  
SERVICES**

May 11, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Daniel Kleinhenz  
Project Engineer  
The Great Lakes Construction Co.  
2608 Great Lakes Way  
Hinckley, OH 44233

**RE: Notice of Violation of OAC § 3745-19 at 8<sup>th</sup> Street Viaduct Project**

Dear Mr. Kleinhenz:

Hamilton County Department of Environmental Services (HCDOES) received a complaint of open burning at the 8<sup>th</sup> Street Viaduct project in Lower Price Hill. During our field investigation on May 7, 2009 an agency investigator witnessed open burning of construction debris at the site, in violation of Ohio Administrative Code § 3745-19. The site foreman, T. J. Stevens was advised of the violation of OAC § 3745-19.

Hamilton County Environmental Services solicits your cooperation in terminating any illegal open burning. At this time, HCDOES requests from The Great Lakes Construction Co. a written statement that all personnel at the facility will suspend all illegal burning. Please send this to HCDOES by no later than June 8, 2009.



Acceptance by the Ohio EPA of this information does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. 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 Attorney General.

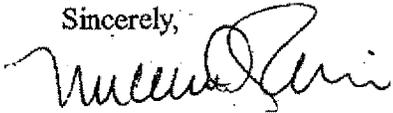
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The violations identified above also constitute a violation of Title X, City of Cincinnati Municipal Code and the City of Cincinnati Health Department rules. Title X is enforced by the City Solicitor's Office and the City of Cincinnati Health Department rules are enforced by Hamilton County Environmental Services. The City Solicitor's Office has requested that this agency notify them of all Title X violations identified by this agency. Consequently, a copy of this Notice of Violation has been sent to the City Solicitor's Office. The City Solicitor's Office has requested that a copy of all compliance plans be forwarded to their office. Therefore, please send a copy of the compliance plan to the City Solicitor's Office, attn: Larry Falkin, Director Office of Environmental Quality, 805 Central Avenue, Centennial Two Plaza, Suite 320, Cincinnati, Ohio, 45202.

You may feel free to call with any questions you have at 946-7711.

Sincerely,



Michael Fair  
Environmental Compliance Specialist

cc: Kerri Castlen, HC-DOES  
Larry Falkin, City of Cincinnati Office of Environmental Quality  
Lt. Rick Jones, City of Cincinnati Fire Dept.  
Robert Herling, City of Cincinnati Dept. of Transportation and Engineering  
Mohammed Alam, City of Cincinnati Health Department