

**HAMILTON COUNTY
ENVIRONMENTAL
SERVICES**

April 6, 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Harold Worley
7584 Lesourdsville - West Chester Road
West Chester, OH 45069

RE: NOV FOR VIOLATION OF OAC RULE 3745-19-04 7584 Lesourdsville - West Chester Road

Dear Mr. Worley:

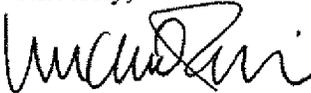
On April 5, complaints were received of open burning in violation of Ohio Administrative Code (OAC) § 3745-19-04. An investigator from Hamilton County Department of Environmental Services responded and documented a violation of the Ohio open burning standards. Landscape wastes were being burned less than 1000 feet from neighboring homes. In addition, flooring, urethane sheathing, paint cans and rubber hose material was found in the fire. You are advised to suspend all open burning in violation of OAC 3745-19-04.

Landscape wastes may not be burned in an area that is less than 1000 feet from inhabited buildings not on your property. You may not burn any materials that contain rubber, grease, asphalt or liquid petroleum products. HCDOES finds that you are in violation of OAC § 3745-19-04. You are required to suspend all open burning in violation of OAC § 3745-19-04.

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 Butler County Health Department rules. Butler County Health Department rules are enforced by the Hamilton County Department of Environmental Services.

Sincerely,



Michael Fair
Environmental Compliance Specialist

cc: Kerri Castlen, Enforcement Supervisor, HCDOES
Lt. Scott Brooks, West Chester Township Fire Department

