

**HAMILTON COUNTY
ENVIRONMENTAL
SERVICES**

May 19, 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Bobby Sweeny
1949 Clark Street
Hamilton, OH 45011

RE: Warning letter for open burning in violation of OAC 3745-19-04.

Dear Mr. Sweeny:

Recently our agency received complaints for open burning of land clearing waste and landscape wastes at your residence in St. Clair Township. Butler County Sheriff's Department reported open burning of tires, furniture and landscape wastes in violation of Ohio Administrative Code § 3745-19-04 (C)(4). Open burning was documented by HC-DOES on May 10, 2010.

Please be advised that the Ohio Administrative Code (OAC) prohibits open burning within one thousand feet of any inhabited building not located on your premises. Violations of the OAC open burning standards may result in enforcement action, with possible referral to the Ohio EPA.

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: Asst. Chief Matt Johnson, St. Clair Twp FD
Kerri Castlen, Enforcement Supervisor, HC-DOES
Sheriff Richard Jones, Butler County Sheriff's Office

Air Quality Management • Solid Waste Management • Water Quality Management

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