

**HAMILTON COUNTY
ENVIRONMENTAL
SERVICES**

January 6, 2011

Mr. Clarence Gray
Gray and Sons Construction
2216 South Road
Cincinnati, OH 45233

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

Dear Mr. Gray:

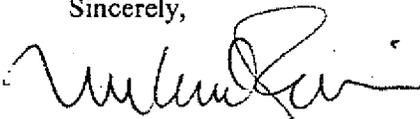
Recently our agency received complaints for open burning of solid waste and construction debris at Gray and Sons Construction in Whitewater Township. Whitewater Township Fire Department reported open burning of vinyl siding, paint cans, tires and construction wastes in violation of Ohio Administrative Code § 3745-19-04 (C)(4). Open burning was documented by HC-DOES on December 20, 2010.

Please be advised that the Ohio Administrative Code (OAC) prohibits any open burning for waste disposal on your premises. You may not cause or allow open burning. 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 Hamilton County Public Health rules. Hamilton County Public Health rules are enforced by the Hamilton County Department of Environmental Services.

Sincerely,



Michael Fair
Environmental Compliance Specialist

cc: Lt. Jim Davis, Whitewater Township Fire Department
Kerri Castlen, Enforcement Supervisor, HC-DOES

Air Quality Management • Solid Waste Management • Water Quality Management

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