



## PORTSMOUTH LOCAL AIR AGENCY

USEPA AND OEPA REPRESENTATIVE FOR ADAMS, BROWN, SCIOTO AND LAWRENCE COUNTIES  
605 Washington Street, Third Floor, Portsmouth, Ohio 45662 (740) 353-5156 Fax (740) 353-3638

November 29, 2012

### CERTIFIED MAIL

Mr. Larry Hazelwood  
3840 Glady Road  
Blanchester, Ohio 45107

Re: Notice of Violation – repeated open burning

Dear Mr. Hazelwood:

On November 15, 2012, U.S. EPA, Region V was in receipt of a citizen complaint of alleged open burning of mattresses, trash, and roofing materials at your residence located at 3840 Glady Road, in Blanchester, Brown County. On November 16, 2012, an investigator from the Ohio EPA, Southwest District Office (SWDO) found the complaint of the open burning for waste disposal at your residence to be valid.

On August 5, 2012, our office was in receipt of a complaint forwarded from Ohio EPA, SWDO, which alleged the open burning of trash on your property. On August 20, 2012, our office investigated this complaint and observed evidence of the open burning of garbage, brush, and other debris on your property.

Pursuant to Ohio Administrative Code (OAC) rule 3745-19-04, Open Burning in Unrestricted Areas, open burning for the purpose of waste disposal is prohibited. The open burning documented on August 20, 2012 by the Portsmouth Local Air Agency and again on November 16, 2012 by the Ohio EPA, SWDO, are violations of OAC rule 3745-19-04.

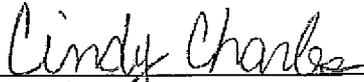
I am requesting a written response from you, within 14 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for clean-up of the burn area and any remaining wastes, and a copy of the landfill receipt as proof of proper disposal.

Acceptance by the Ohio EPA of a schedule for compliance 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. Ohio EPA will determine later whether to pursue such penalties in this case.

If you have any questions regarding this matter or Ohio's open burning regulations, please contact me or Louis Boerger at (740) 353-5156.

Larry Hazelwood  
November 29, 2012  
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Sincerely,

A handwritten signature in cursive script that reads "Cindy Charles". The signature is written in black ink and is positioned above a horizontal line.

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Cindy Charles  
Director  
Portsmouth Local Air Agency

cc: John Paulian, OEPA, DAPC  
Brian Dickens, USEPA, Region V  
Craig Osborne, OEPA, SWDO