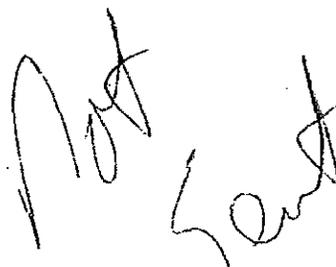


Certified Mail

Notice of Violation

November 10, 2008

Linda Bivens
J. Topy & Son
464 N. Highland Avenue
Columbus, Ohio 43204



Dear Ms. Bivens:

This confirms our conversation of November 7, 2008 wherein I advised you that you were open burning in violation of Ohio Administrative Code 3745-19. These actions are subject to fines and penalties.

Specifically, at 464 N. Highland Avenue, Columbus and at the east end of your property in the BSS work area, you were open burning construction debris and green pine limbs with attached green needles. There are provisions in the rule for having a warming fire, but it was not even cold out on the day the fire was observed. Also, some of the materials being burned would not be considered to be as clean as seasoned firewood.

This letter is not a final action of the Director of the Ohio EPA and is intended only as a notification of a violation of the Ohio environmental laws and regulations. It does not preclude Ohio EPA or any other governmental entity from further enforcement action.

Should you have any questions, please do not hesitate to call me at (614) 728-3808.

Sincerely,

David Burroughs
Environmental Specialist
Division of Air Pollution Control
Central District Office

pc: Chief Richard Howard, Franklin Twp. Fire Dept.
Deputy Richard Thompson, Franklin County Sheriff's Office
Adam Ward, DAPC, CDO