



State of Ohio Environmental Protection Agency

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Central District Office

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NOTICE OF VIOLATION

September 24, 2008

Jeff Ellis
United Aggregates
P. O. Box 750
Mt. Vernon, OH 44822

Dear Mr. Ellis:

This letter confirms our conversation of September 17, 2008 wherein I advised you that you were open burning in violation of Ohio Administrative Code (OAC) 3745-19. These actions are subject to fines and penalties.

Specifically, on September 16, 2008, the open burning of construction debris from a barn was observed by the Mt. Vernon Fire Department. You claimed that you just brought the materials to the site and it "caught fire." However, there was no explanation as to why you brought the materials there in the first place if you did not intend to burn them. Also, as the property owner, you have the ultimate responsibility for what occurs on your property. This also is consistent with a pattern of repeated illegal open burning on your property.

This letter is not a final action of the Director of 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

c: Chief Shawn Christy, Mt. Vernon Fire Department
David Barber, Sheriff of Knox County
Adam Ward, DAPC/CDO

DB/ct ellis14220parott

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director