



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

February 28, 2013

CERTIFIED MAIL

Mr. Virgil Thobe
3743 W. Millcreek Road
Sidney, Ohio 45365

RE: Notice of Violation

Dear Mr. Thobe:

You are hereby notified that Ohio EPA finds you to be in violation of Ohio Open Burning Regulations. On February 25, 2013, it was determined that open burning of land clearing waste within 1000 feet of occupied dwellings not on said location had occurred at your property at Kuther and Wenger Roads, Anna, Ohio.

The violations that have been committed include, but are not limited to the following:

- The burning of land clearing waste within 1000 of occupied dwellings not on said location.

The above identified activity is in violation of Ohio Administrative Code (OAC) Rule 3745-19-04, *Open burning in unrestricted areas*, and Ohio Revised Code (ORC) Section 3704.03.

You must cease all illegal open burning.

Any subsequent violations will be referred to our Central Office for enforcement action with the recommendation for a significant monetary penalty. Ohio EPA reserves the right, pursuant to Chapter 3704, 3714, 3734, 3745, and 3750 of the Ohio Revised Code and any other applicable state or federal laws or regulations to seek civil and/or criminal action, reimbursement of response costs and any other appropriate legal or equitable relief for any violation of law.

Notice of Violation
February 28, 2013
Page 2

If you have any questions or comments, or wish to discuss this matter further, please feel free to contact me at (937) 285-6032.

Sincerely,

A handwritten signature in cursive script that reads "Terry A. Sanner". The signature is written in black ink and is positioned above the printed name and title.

Terry A. Sanner
Environmental Specialist
Division of Air Pollution Control

TS/tb

ec: John Paulian, CO/DAPC
Bill MacDowell, U.S. EPA, Region V
Tom Schneider, SWDO/DAPC



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

March 25, 2013

Mr. Virgil Thobe
3743 W. Millcreek Road
Sidney, OH 45365

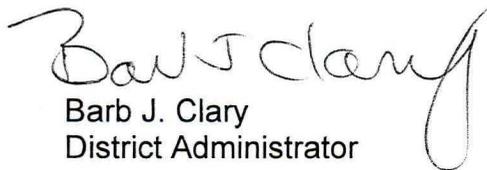
Dear Mr. Thobe:

On February 28, 2013, Mr. Terry Sanner sent you a Notice of Violation letter via certified mail. This certified letter was returned to the Ohio EPA Southwest District Office marked "Unclaimed, Unable to Forward."

Please find enclosed the original letter addressed to you and dated February 28, 2013.

If you have any questions, please feel free to contact Terry Sanner at (937) 285-6032.

Sincerely,



Barb J. Clary
District Administrator

BJC/tf

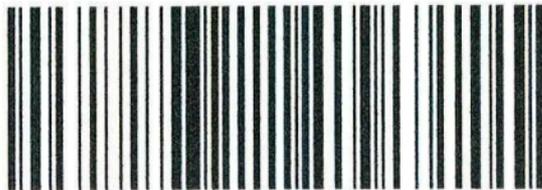
Ohio

Environmental Protection Agency

Southwest District Office
401 East Fifth Street
Dayton, Ohio 45402-2911



CERTIFIED MAIL™



7010 1060 0002 4250 6334



02 1P
0001656057 FEB 28 2013
MAILED FROM ZIP CODE 45402
\$ 006.110

Southwest District
MAR 22 2013
OHIO EPA
RECEIVED
Tava



UNCLAIMED

MR. VIRGIL THOBE
3743 W. MILLCREEK ROAD
SIDNEY, OHIO

1-4 NOTICE 3-2

NIXIE 430 SE 1 00 03/19/13
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

45365880843 BC: 45402291101 *2473-01343-01-46
45402@7911