



**Environmental
Protection Agency**

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

June 17, 2011

Re: Tuscarawas County
Open Burning
Complaint 30001875

Certified: 70101060000178962501

Ms. Shirley Massarelli
710 Park Ave. NW
New Philadelphia, Ohio 44663-1670

Dear Ms. Massarelli:

I am writing this letter in response to a complaint received by this office on May 9, 2011. The complaint alleges that you are burning trash, garbage, and other solid waste materials at 2397 State Route 39, New Philadelphia.

On May 17 and 26, 2011, I investigated this complaint. This property appears to be a commercial property with residences in the back. The Red Onion Banquet Center is located on this property, but appears to be under renovation. Evidence of the open burning of wood, trash, plastics, household garbage, and other solid waste materials was observed. I attempted to speak to you, but you were not home at the time of my investigation. I left my business card and a pamphlet in the door that explains Ohio's open burning rules. During my second visit, I was told that you no longer live at this address, but that you had burned the materials.

Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. I am enclosing a pamphlet that explains this rule for you. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If you continue to open burn improper waste materials on this property or any other property in Ohio, legal action may be taken against you.

Please contact me at 740-380-5217 or 1-800-686-7330 so that we can discuss this complaint.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure