



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

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

November 30, 2010

Re: Tuscarawas County  
Open Burning  
Complaint 30001667

Certified: 70101060000178960521

Mr. and Mrs. Recco  
P.O. Box 213  
Port Washington, Ohio 43837-0213

Dear Mr. and Mrs. Recco:

I am writing this letter in response to a complaint received by this office on November 5, 2010. The complaint alleges that Mrs. Neighbor's yard wastes were hauled across the street and put on the burn pile in your backyard and later burned.

On November 16, 2010, I investigated this complaint and spoke to you, Mrs. Recco. You told me that for years Mrs. Neighbor has piled her yard wastes and tree limbs on the burn pile in your backyard, and that you occasionally burn small piles in your backyard. While investigating a different complaint in your neighborhood, I have observed large piles of tree branches and yard wastes in your backyard and noticed later that the waste materials had been burned. I spoke to you while in the area earlier in the year and explained Ohio's open burning rules and gave you a pamphlet. On November 16, 2010, I also spoke to Mrs. Neighbor in regard to this complaint. She told me that she gave you trimmings from her lilac tree and some limbs from a tree in her yard to be cut for firewood, and the smaller branches were put on the burn pile. I explained to Mrs. Neighbor that the yard wastes and tree trimmings cannot be open burned on your property.

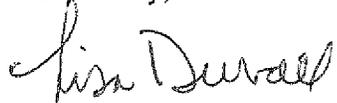
To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area. Your property is in a restricted area; therefore, you cannot open burn residential waste on this property. You are permitted to have a cookout or campfire, but the fire must be no larger than two feet by three feet in diameter and only clean, dry fire wood can be burned. The piles that I have seen in your backyard are too large to qualify as a cookout or campfire and the yard wastes are not considered clean, dry fire wood.

Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-03 must stop. If you continue to open burn improper waste materials at this location, legal action may be taken against you.

Mr. and Mrs. Recco  
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If you have any questions regarding this matter, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mim