



State of Ohio Environmental Protection Agency

**Southeast District Office**

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Logan, Ohio 43138

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

October 22, 2009

**Re: Tuscarawas County  
Open Burning  
Complaint 30001085**

*Certified Mail 70073020000178820353*

Ms. Briana Collins  
2108 Herbert Street SE  
New Philadelphia, Ohio 44663

Dear Ms. Collins:

I am writing this letter in response to a report from the New Philadelphia Fire Department received by this office on September 3, 2009. The report states that you burned trash and pallets in a swimming pool on your property.

On September 29, 2009, I investigated this complaint and spoke to you. You told me that you were new to the area and were not aware of the burning rules. As I explained at that time, because you are less than 1,000 feet from your nearest neighbor, you cannot open burn residential waste on this property. Residential waste includes paper, leaves, tree trimmings, cardboard, etc. Plastics, garbage, furniture, tires, etc., cannot be open burned anywhere in Ohio.

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 maximum fine of up to \$25,000 per day per violation. 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, legal action will be taken against you.

If you have any questions regarding this matter, please contact me at (740) 380-5217.

Sincerely,

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/dh

cc: The New Philadelphia Fire Department