



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

June 17, 2009

**Re: Guernsey County  
Open Burning  
Complaint 30000925**

**Certified Mail: 70073020000178820582**

Mr. Jim Tanner  
6936 Baertown Road  
Dover, Ohio 44622

Dear Mr. Tanner:

I am writing this letter in response to a complaint received by this office on June 1, 2009. The complaint alleges that a large pile of solid wastes was open burned in your backyard.

On June 9, 2009, I investigated this complaint and spoke to your nephew who was at your property at the time of my investigation. As I explained to him, I had seen a large pile of tree trimmings, brush and wood piled inside a circle of stones in your backyard a few weeks ago while investigating another complaint on your road. The pile was too large to qualify as a cookout or campfire. During my visit on the 9<sup>th</sup>, I could see that the pile had been burned. To open burn residential waste such as tree trimmings, shrubs, paper, etc., the property must be in an unrestricted area (your property is) and the burn site must be at least 1,000 feet from your neighbors. Your burn site is not 1,000 feet from your neighbors. Therefore, you cannot open burn residential waste at this burn site.

Open burning improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. I am enclosing a copy of this rule for you. 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/mlm

Enclosure