



State of Ohio Environmental Protection Agency

**Southeast District Office**

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

October 17, 2007

Re: Tuscarawas County  
Open Burning  
Complaint 20070450

Ms. Ruth Ray  
512 Barnhill Road S.E.  
New Philadelphia, Ohio 44663

Dear Ms. Ray:

I am writing this letter in response to a report from the New Philadelphia Fire Department received by this office on September 21, 2007. The complaint indicates that a dump truck load of file papers was hauled to your property by Tammy Harper and burned.

On October 1, 2007, Chief Snyder of the New Philadelphia Fire Department and I investigated this complaint and spoke to you and your son. During the investigation of the burn site, it was noted that the fire was still smoldering and a tire rim was also in the ash. Materials that are hauled in, tires, furniture, etc., cannot be open burned in Ohio. To open burn residential wastes (such as leaves, tree trimmings, cardboard, paper) generated from your household, the fire must be at least 1,000 feet from your nearest neighbor.

Open burning waste materials hauled to a property 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. If you continue to open burn improper waste materials or allow others to open burn improper waste materials on your property, legal action may be taken against you. I am enclosing a copy of this rule for you.

If you have any questions, please contact me at 740-380-5217.

Sincerely,

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mlm

Enclosure

cc: The New Philadelphia Fire Department