Ohio Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

April 8, 2011

Re: Tuscarawas County
Open Burning
Complaint 30001810

Certified: 70101060000178962235

Mr. George Bear
1329 County Road 140
Sugarcreek, Ohio 44681

Dear Mr. Bear:

I am writing this letter in response to a complaint received by this office on April 1, 2011. The complaint alleges that demolition waste materials from mobile homes are being burned at 6197 Old State Route 39, Dover.

On April 5, 2011, I investigated this complaint. Evidence of the open burning of wood, plastics, demolition and other solid waste materials was observed. There was no one at the property at the time of my investigation.

I found that you are the owner of this property. I spoke to you on April 6, 2011 in reference to this complaint. Mr. Scott Miller rents this property from you and has been scrapping metal from mobile homes and other sources and has been open burning waste materials at this site. The open burning of demolition waste materials is in violation of Ohio's open burning rules. The Tuscarawas County Health Department has also contacted you about the open burning. You assured me that there would not be any more open burning of waste materials at this location.

On April 6, 2011, I spoke to Mr. Miller by phone. As I informed him at that time, demolition waste materials cannot be open burned in Ohio. Automobiles, plastics, plastic-coated copper wire, tires, furniture, etc. also cannot be open burned for waste disposal purposes in Ohio. The burn site needs to be cleaned up and the waste materials properly disposed of in a licensed landfill.

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. 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 allow open burning of improper waste materials on this property or any other property, legal action may be taken against you, as the property owner.

Southeast District Office
2195 Front Street
Logan, OH 43138-8637

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740 | 385 6490 (fax)
www.epa.ohio.gov

I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to help ensure that open burning in violation of OAC rule 3745-19-04 does not occur on this property.

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

Sincerely,

Lisa Duvall

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure