



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

July 19, 2010

Re: Athens County
Open Burning
Complaint 30001446

Certified: 70063450000190559291

Ms. Wendy Plageman and Mr. Mike Ogburn
1830 Mineral Road
New Marshfield, Ohio 45766-9729

Dear Ms. Plageman and Mr. Ogburn:

I am writing this letter in response to complaints received by this office on June 21, 2010 and July 6, 2010. The complaints allege that garbage/trash, other waste materials and a house trailer are being burned at the Mineral Road address.

On June 24, 2010, I investigated the first complaint. I attempted to speak to you, but you were not home at the time of my investigation. The complaint indicates that you are burning behind your home. There appeared to be a burn site behind your carport, but I did not go through the carport to look for evidence during my initial investigation. I left a pamphlet in your door that explains Ohio's open burning regulations. Area residents told me that you also own the property to the left of the house where a trailer sits. There was a large burn pile on the ground in front of the trailer. Evidence of the open burning of trash, a box spring, plastic seat cushions, garbage, cans and other solid wastes was observed.

A search of the Athens County Auditor's site lists you, Ms. Plageman, as the owner of the property where the house and trailer are located. Before I could get a letter in the mail to you concerning the first complaint, I received the second complaint for the open burning of a trailer on this property. On July 8, 2010, I investigated the second complaint and observed evidence of the trailer fire. At that time, I spoke to Mr. Ogburn and informed him of the complaint and my investigation of the trailer fire. A report from the Waterloo Township Fire Department confirms the trailer fire on July 5, 2010 and indicates that an abandoned trailer had been burned on your property by Mr. Raymond Ogburn.

The open burning of trailers, garbage, tires, plastics, box springs, furniture, demolition debris and other waste materials is not permitted 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.

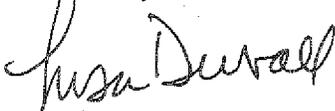
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Both you and Mr. Ogburn are aware of the open burning regulations. I have investigated previous open burning complaints and had communications with both of you in regard to the illegal burning at your home on State Route 356 and now at the Mineral Road address. Because you have repeatedly violated Ohio's open burning regulations, this office will be referring this matter to our Central Office for further legal action.

In addition, a copy of this letter is being forwarded to the local health department. The information within this letter can be evaluated by local health department and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

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

Sincerely,



Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

cc: Athens County Health District, 278 W. Union St., Athens, Ohio 455701
cc: The Waterloo Twp. Fire Dept., P.O. Box 248, New Marshfield, Ohio 45766