



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 27, 2011

Re: Athens County
Open Burning
Complaint 30001859

Mr. Jason Simms
3900 Washington Rd.
Albany, Ohio 45710-8920

Dear Mr. Simms:

I am writing this letter in response to a complaint received by this office on April 29, 2011. The complaint alleges that you burn plastic-coated copper wire and tires at your home.

On May 18, 2011, I investigated this complaint and spoke to you. You told me that a deputy from the Athens County Sheriff's Office and the Fire department had already been to your home and told you that you could not burn these materials. The barrels that you burned in have been removed and the burn site has been cleaned up. As I explained at the time of my investigation, tires, automobile parts, plastic coated wire, 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 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 at this location or any other location in Ohio, legal action may be taken against you.

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