



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

August 26, 2009

Re: Athens County
Open Burning
Complaint 30001037

Certified: 70063450000190558409

Ms. Diana Wagoner
7262 Brown Rd.
Athens, Ohio 45701-9638

Dear Ms. Wagoner:

I am writing this letter in response to a complaint received by this office on August 17, 2009. The complaint alleges that you open burn trash at your home in an area that is close to your neighbor.

On August 18, 2009, I investigated this complaint and spoke to you. You told me that you burn papers in a barrel in your backyard and showed me the barrel. As I explained at that time, to open burn residential waste such as paper, leaves, tree trimmings, etc., your property must be located in an unrestricted area (your property is) and the burn site must be at least 1,000 feet from your nearest neighbor. Your burn barrel is less than 1,000 feet from your neighbors. To open burn residential waste on this property, you must move your barrel to a location on the property that is 1,000 feet from your neighbors.

Open burning residential waste at this location without having the proper distance between the burn site and your nearest neighbor 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 gave you a pamphlet that explains this rule.

I am enclosing a copy of the complaint form as you requested. 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