



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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

August 7, 2009

Re: Athens County
Open Burning
Complaint 30000979

Mr. Marion Rutter
8900 State Route 685
Glouster, Ohio 45732

Dear Mr. Rutter:

I am writing this letter in response to a complaint received by this office on July 15, 2009. The complaint alleges that trash, particle board and other materials are being open burned on your property at 8900 State Route 685, Glouster.

On July 28, 2009, I investigated this complaint and spoke to you. You told me that a friend of yours had torn down an old tool trailer and had hauled the siding, particle board and other wastes to your property to burn. As I explained at that time, demolition wastes, buildings, plastics and any type of waste material that is hauled in to a property cannot be burned. To open burn residential waste such as paper, leaves, tree trimmings, etc., you must be at least 1,000 feet from your neighbors. There does not appear to be an area on your property that is 1,000 feet from your neighbors; therefore, you cannot open burn residential waste on this property. I gave you a pamphlet that explains Ohio's open burning rules.

Open burning improper waste materials at this location 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, legal action will be taken against you.

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