



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

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

June 19, 2009

Re: Athens County  
Open Burning  
Complaint 30000845

Certified: 70063450000190557969

Mr. Edward White  
2951 Crocker Run Rd.  
Apartment R  
Grove City, Ohio 43123

Dear Mr. White:

I am writing this letter in response to a complaint received by this office on April 10, 2009. The complaint alleges that stereo equipment, plastics and household trash were open burned at 8005 State Route 356, Mineral, Ohio. A search of county court records lists you as the owner of this property. Mr. Mike Ogburn lives at this residence.

The Ohio EPA received a previous complaint of open burning at this residence on December 23, 2008. I investigated this complaint and spoke to Mr. Ogburn in reference to the first complaint.

On April 20, 2009, I investigated the most recent complaint. Evidence of the open burning of plastics and household wastes was observed. Trash bags, a furniture cushion and other thrash were piled on top of ash from previous fires.

Because the burn site is less than 1,000 feet from the nearest neighbor, residential waste such as paper, leaves and tree trimmings cannot be open burned on this property. Plastics, furniture, furniture cushions, etc., cannot be open burned in Ohio.

The 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. As the property owner, you can be held responsible for the illegal open burning conducted on this property. I am enclosing a copy of this rule for you.

I am requesting a written response from you, within 14 days of receipt of this letter, that includes a commitment form you to stop the open burning on your property that is in violation of OAC rule 3745-19-04, a plan and schedule for clean up of the burn area and any remaining solid wastes, and a copy of the landfill receipt as proof of proper disposal. Acceptance by the Ohio EPA of a schedule for compliance does not constitute a waiver of

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Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

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.

Please contact me at 740-380-5217 or 1-800-686-7330 so that we can discuss this matter.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mlm

Enclosure

cc: The Waterloo Fire Dept.  
cc: The Athens County Health District