



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 3, 2008

Re: Athens County  
Open Burning  
Complaint 30000275

Ms. Tonya Keffer  
c/o Alma Sickles  
1935 Pleasant Hill Rd.  
Athens, Ohio 45701

Dear Ms. Keffer:

I am writing this letter in response to a complaint received by this office on May 9, 2008. The complaint alleges that you are open burning trash, carpet, and other household wastes at your home on Old State Route 33.

On May 21, 2008, I investigated this complaint and attempted to speak to you. No one would come to the door. Evidence of open burning of carpet, carpet padding, furniture, garbage, etc. was observed next to your home. These materials cannot be open burned in Ohio. To open burn residential waste, such as paper, leaves, cardboard, etc., the burn site must be at least 1,000 feet from the nearest neighbor. There is no place on this property where you would be 1,000 feet from your neighbors, therefore, you cannot open burn residential waste on this property.

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. I left a pamphlet in your door that explains Ohio's open burning rules. If you continue to open burn improper waste materials, legal action may be taken against you.

I am requesting a written response from you, within 10 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of the requirements specified in 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 Ohio EPA of a schedule for compliance does not constitute a waiver of 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.

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

Sincerely,

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mim