



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

October 17, 2008

Re: Coshocton County
Open Burning
Complaint 30000552

Certified: 70063450000190559840

Mr. John Pohoundis
29789 Township Road 209
Coshocton, Ohio 43812

Dear Mr. Pohoundis:

On September 17, 2008, Mr. Dean Stoll with the Division of Surface Water out of the Ohio EPA Northeast District Office, observed thick, black smoke in the air coming from a property close to Clark Elementary School on Township Road 105. Upon investigation, he found you were open burning cleaners and petroleum products. There were several five-gallon cans of liquids in the bed of your pickup truck.

On September 30, 2008, I attempted to speak with you but you were not at home. Petroleum products, cleaners, solvents, etc., cannot be open burned anywhere in Ohio. Open burning improper waste materials for disposal purposes at this location is in violation of Ohio Administrative Code rule 3745-19-04 and is punishable by fine. If you continue to open burn improper waste materials, legal action will be taken against you.

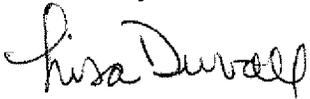
I am requesting a written response from you, within 10 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of the requirements specified in OAC rule 3745-19-04, a plan and schedule for clean up of the burn area and any remaining wastes, and a copy of the disposal 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.

A copy of this letter is being forwarded to Ohio EPA's Division of Solid and Infectious Waste Management (DSIWM) and the local health departments. The information in this letter will be evaluated by DSIWM and the health departments and further investigation may be initiated if it appears violations within their jurisdictions have occurred.

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Please contact me at 740-380-5217 or 1-800-686-7330 as soon as possible 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

cc: Dave Chenault, DSIWM/SEDO
cc: Holmes County Health District, 931 Wooster Rd., Millersburg, Ohio 44654
cc: Coshocton County Health District, 724, S. 7th Street, Coshocton, Ohio 43812