



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

November 16, 2009

Re: Coshocton County
Open Burning
Complaint 30001156

Certified: 70073020000178847886

Mr. Ken Kantner
38145 Chestnut Ridge Rd.
Elyria, Ohio 44035-8648

Dear Mr. Kantner:

I am writing this letter in response to a complaint received by this office on October 20, 2009. The complaint alleges that you are tearing down an old house and burning the demolition wastes.

On November 4, 2009, I investigated this complaint and found the burn site. There was no one at the property at the time of my investigation. I left a pamphlet on the standing wall of the house that explains Ohio's open burning rules along with a note and my contact information. Evidence of the open burning of wood, vinyl siding, tar paper, shingles and other solid wastes was observed.

Demolition wastes, vinyl siding, shingles, plastics, furniture, etc., cannot be burned for waste disposal purposes. 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 maximum fine of up to \$25,000 per day per violation. 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.

I am requesting a written response from you, within 14 days of receipt of this letter, that includes a commitment from you to stop open burning 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 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.

Mr. Ken Kantner
November 16, 2009
Page 2

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.

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

cc: The Coshocton County Health District, 724 S. 7th St., Coshocton, Ohio 43812