



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

April 28, 2011

Re: Coshocton County
Open Burning
Complaint

Mr. Robert Brown
212 State St.
Conesville, Ohio 43811

Dear Mr. Brown:

I am writing this letter in response to a complaint received by this office on April 15, 2011. The complaint alleges that you burn trash, household wastes and other materials at your home.

On April 19, 2011, I investigated this complaint. Evidence of the open burning of trash, plastics, household garbage, and other solid waste materials was observed. As I explained at that time, because you live in a restricted area you cannot open burn residential waste such as paper, leaves, tree trimmings, etc. on this property. Plastics, furniture, etc. cannot be open burned anywhere in Ohio. I gave you a pamphlet that explains Ohio's open burning regulations. You mentioned that the local fire chief told you that you could burn after 6:00 p.m. This is not accurate. The 6:00 p.m. restriction is a Department of Natural Resources rule that applies if the property is located in an unrestricted area (your property is in a restricted area) and the burn site is at least 1,000 feet from the nearest inhabited building located off the property (there is not an area on your property that is 1,000 feet from the nearest inhabited building located off your property). If a property is in an unrestricted area and the burn site is at least 1,000 feet from the nearest inhabited building on adjoining properties, then residential or agricultural waste may be open burned after 6:00 p.m.

Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-03 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 or 1-800-686-7330.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

cc: Franklin Twp. Vol. Fire Dept., P.O. Box 100, Conesville, Ohio 43811