



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-6501 FAX: (740) 385-6490
www.epa.state.oh.us

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

May 4, 2010

Re: Coshocton County
Open Burning
Complaint
Certified: 70063450000190558850

Ms. Darlene Crozier
11419 Sarchet Lane
Dresden, Ohio 43821-8754

Dear Ms. Crozier:

I am writing this letter in response to a complaint received by this office on April 22, 2010. The complaint alleges that you do not have trash pickup and have been burning trash and garbage in your backyard.

On April 26, 2010, I investigated this complaint and spoke to you. Evidence of the open burning of trash and garbage was observed in your backyard. At that time, I explained that garbage, plastics, etc., cannot be open burned in Ohio. To open burn residential wastes such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area (as your property is) and the burn site must be at least 1,000 feet from the nearest neighbor. Your burn site is not 1,000 feet from the nearest neighbor and it does not appear that there is a location on your property that would be 1,000 feet from your neighbors. Therefore, you cannot burn any type of waste material on this property. You told me that your son is cleaning up the burn site. Leaves and a garbage bag were piled on top of the burn site.

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. 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.

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