



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 19, 2007

Re: Belmont County
Open Burning

Certified: 70063450000190561348

Mr. Dan Kursh
Shelly and Sands Construction, Inc.
3570 South River Road
Zanesville, Ohio 43701-7731

Dear Mr. Kursh:

On October 11, 2007, Mr. Russell Flagg of the Southeast District of the Ohio EPA witnessed the open burning of buckets, pallets, and treated lumber at the Shelly and Sands bridge construction site at the intersection of State Route 22 and State Route 43 in Belmont County. He spoke to Mr. Russ Edwards who told him that they had started a fire for heat for the workers in the morning. While you can have a fire for heat for outdoor workers, only clean, dry wood may be used as fuel. Plastics, treated lumber, buckets, trash, etc., cannot be burned to provide heat for outdoor workers. The fire also cannot be used for waste disposal purposes.

Open burning of this type 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 Shelly and Sands continue to allow the open burning of improper waste materials on this job site or any other job site in Ohio, legal action may be taken against Shelly and Sands Construction, Inc. Please inform your outdoor work crews of Ohio's open burning rules.

If you have any questions, please contact me at this office at 740-380-5217.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm