



State of Ohio Environmental Protection Agency

**Southeast District Office**

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

August 5, 2009

Re: Belmont County  
Open Burning  
Complaint 30000993

Mr. Joe Shutek  
P.O. Box 98  
55199 Poplar St.  
Lansing, Ohio 43934

Dear Mr. Shutek:

I am writing this letter in response to a complaint received by this office on July 17, 2009. The complaint alleges that solid wastes are being open burned in the backyard of 55199 Poplar Ave., Lansing.

On July 27, 2009, Ms. Laura Stalder and I investigated this complaint. We spoke to Ms. Debbie Shutek. She informed us that the house is being cleaned out and some materials were burned in the backyard. The fire was still smoldering during our visit.

As I explained to Ms. Shutek, to open burn residential waste such as paper, cardboard, tree trimmings, etc., the property must be located in an unrestricted area and the burn site must be at least 1,000 feet from the nearest neighbor. There is not a location on this property that is 1,000 feet from the nearest neighbor; therefore, you cannot open burn residential waste on this property. Furniture, plastics, garbage, electronics, etc. cannot be open burned anywhere in Ohio. I gave her my card and a pamphlet that explains Ohio's open burning rules.

Open burning 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.

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