



**Environmental
Protection Agency**

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

June 8, 2011

Re: Belmont County
Open Burning
Complaint

Mr. and Mrs. Jim Weekley
65102 Breezy Point Lane
Bellaire, Ohio 43906-9746

Dear Mr. and Mrs. Weekley:

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

On May 4, 2011, I investigated this complaint and spoke to you, Mrs. Weekley. You told me that you burned papers behind your home. A Belmont County Sheriff's Deputy Stewart had responded to the complaint about a fire at your home. He explained to me that some brush had been burned, but that he had not told you that you cannot open burn waste materials on your property. I have since contacted Deputy Stewart and explained Ohio's open burning rules to him and have taken pamphlets to the Sheriff's Office that explain this rule. As I explained during my visit, to open burn residential waste 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 any inhabited building not on your property. Because there is not a burn site location on your property that is at least 1,000 feet from any inhabited building not on your property, you cannot open burn residential waste at this location. I brought a distance range finder to your home. The existing burn site is not 1,000 feet from any inhabited building not on your property.

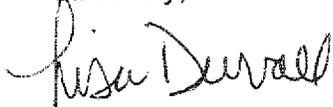
You are permitted to have a cookout or campfire using clean, seasoned firewood if the fire is not more than two feet in height and not more than three feet in diameter. The fire must be put out when the cookout/campfire is over and cannot be left unattended. You cannot burn grasses, leaves, brush, etc. in the campfire, only clean, seasoned fire wood.

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. If you continue to open burn improper waste materials, legal action may be taken against both of you.

Mr. and Mrs. Jim Weekley
June 8, 2011
Page 2

If you have any questions regarding this matter, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall". The signature is written in black ink and is positioned to the left of the typed name.

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm