



**Environmental  
Protection Agency**

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

May 27, 2011

Re: Belmont County  
Open Burning  
Complaint 30001845

Certified: 70101060000178962396

Mr. Luis Moreno  
67971 Hillside Dr.  
Bridgeport, Ohio 43912-1564

Dear Mr. Moreno:

I am writing this letter in response to a complaint received by this office on April 22, 2011. The complaint alleges that demolition wastes, plastic-coated copper wire and other waste materials are being burned at this address. A search of the court records indicated that you are the owner of this property.

On April 26, 2011, I investigated this complaint. Evidence of the open burning of wood, furniture, plastics, a mattress and other solid waste materials was observed. Both houses on the property are vacant and there is a camper on site. I left my business card and a pamphlet that explains Ohio's open burning rules on the table next to the camper.

Plastics, demolition or construction waste materials, garbage, furniture, tires, etc., cannot be open burned in Ohio. 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 maximum fine of up to \$25,000 per day per violation. All open burning in violation of the requirements specified in OAC rule 3745-19-03 must stop immediately. If you continue to open burn or allow the burning of improper waste materials, legal action will be taken against you as the property owner.

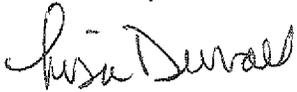
I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to stop all open burning in violation of OAC rule 3745-19-03, a plan and schedule for cleanup of the burn area and any remaining solid wastes, and a copy of the landfill receipt 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.

A copy of this letter is being forwarded to Ohio EPA's Division of Materials and Waste Management (DMWM). The information in this letter will be evaluated by DMWM and further investigation may be initiated if it appears violations within their jurisdiction have occurred

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Please contact me at 740-380-5217 or 1-800-686-7330 so that we can discuss this matter.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mlm