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

April 12, 2012

Re: Tuscarawas County
Open Burning
Complaint 30002292

Yoder Properties
P.O. Box 80469
Canton, Ohio 44708

Dear Yoder Properties:

I am writing this letter in response to a complaint received by this office March 30, 2012. The complaint alleges that trash, plastics and other solid waste materials are being burned on Truss Road, New Philadelphia.

On April 5, 2012, I investigated this complaint. I spoke to the resident at 1501 Truss Road and informed them of the open burning restrictions in Ohio. There was no one home at the 1515 Truss Road address at the time of my investigation. Evidence of open burning improper waste materials was observed on both properties.

I found that Yoder Properties owns these properties through a search on the Tuscarawas County Auditor's web site. As the owner of the properties you can be held responsible for illegal open burning on these properties.

Garbage, trash and plastics cannot be open burned anywhere in Ohio.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., a property must be located in an unrestricted area (as these properties are) and any burn site must be <u>at least 1,000 feet</u> from any inhabited building not on the property. Because there is not a burn site location on either of these properties that is at least 1,000 feet from any inhabited building not on the properties, <u>residential waste cannot be open burned on these properties</u>.

Open burning of improper waste materials at these locations 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.

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

Sincerely,

Lisa Duvall

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs

cc: Bruce Weinberg-DAPC

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