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

April 12, 2012

Re: Tuscarawas County
Open Burning
Complaint 30002293

Mr. Kelly Wissmar
345 Stone Creek Road SW
New Philadelphia, Ohio 44663

Dear Mr. Wissmar:

I am writing this letter in response to a complaint received by this office March 30, 2012. The complaint alleges that you burn trash in a barrel at your home.

On April 5, 2012, I investigated this complaint. Evidence of the open burning of trash and household waste materials was observed. As I explained at that time, plastics and garbage cannot be open burned anywhere in Ohio.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area (as this property is) and the burn site must be at least 1,000 feet from any inhabited building not on the property. Because there is not a burn site location on this property that is at least 1,000 feet from any inhabited building not on the property, you cannot open burn residential waste at this location.

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. I gave you a pamphlet that explains this rule. 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 at this location or any other location in Ohio, legal action may be taken against you.

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

Sincerely,

Lisa Duvall

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs

cc: Bruce Weinberg-DAPC

Southeast District Office
2195 Front Street
Logan, OH 43138-8637

740 | 385 8501
740 | 385 6490 (fax)
www.epa.ohio.gov