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

April 12, 2012

Re: Ross County
Open Burning
Complaint 30002291

Mr. and Mrs. William Mankin
15258 Pleasant Valley Road
Chillicothe, Ohio 45601

Certified: 70102780000197044145

Dear Mr. and Mrs. Mankin:

I am writing this letter in response to a report from the Ross County Sheriff's Office received by this office March 30, 2012. The report states that Howard Smallwood and April Neff who reside at this address were burning tires. The Ross County Auditor's web site lists you as the owners of this property.

On April 6, 2012, I investigated this complaint. Evidence of the open burning of wood, plastics, tires and other solid waste materials was observed. Plastics, tires and garbage cannot be open burned in Ohio. Because this property is located in a restricted area, you also cannot open burn residential waste such as paper, leaves, tree trimmings, etc. at this location.

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 fine. I am enclosing a pamphlet that explains this rule for you. All open burning in violation of the requirements specified in OAC rule 3745-19-03 must stop immediately. If Mr. Smallwood, Ms. Neff or anyone else continues to open burn improper waste materials at this location, legal action may be taken against you as the property owners.

I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to address the illegal open burning at this location, a plan and schedule for cleanup of the burn area and any remaining solid waste materials, 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.

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

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

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

Enclosure

Cc: Bruce Weinberg-DAPC