



**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. and Mrs. Larry Murphy
317 Stone Creek Road SW
New Philadelphia, Ohio 44663

Dear Mr. and Mrs. Murphy:

I am writing this letter in response to a complaint received by this office March 30, 2010. The complaint alleges that you burn trash in a barrel at your home.

On April 5, 2012, I investigated this complaint. I attempted to speak to you, but you were not home at the time of my investigation. I left my business card and a pamphlet in your door that explains Ohio's open burning rules. A burn barrel was observed in your backyard.

Garbage, trash and plastics 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 your property is) and the burn site must be at least 1,000 feet from any inhabited building not on your property. If 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.

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.

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 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
Environmental Specialist
Division of Air Pollution Control

LD/cs

cc: Bruce Weinberg-DAPC