



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

June 3, 2009

Re: Jefferson County
Open Burning
Complaint 30000895

Mr. and Mrs. Frank Klan
1521 County Road 16
Rayland, Ohio 43943-7707

Dear Mr. and Mrs. Klan:

I am writing this letter in response to a complaint received by this office on May 14, 2009. The complaint alleges that solid wastes were open burned in your backyard.

On May 27, 2009, I investigated this complaint and spoke to you, Mrs. Klan. As I explained at that time, to open burn residential waste such a paper, leaves, tree trimmings, etc., the property must be located in an unrestricted area (which your property is) and the burn site must be at least 1,000 feet from the nearest neighbor. Your burn pile and barrel are not 1,000 feet from your neighbors; therefore, you cannot open burn residential waste on this property. You may have a cookout or campfire using clean, dry wood as long as the fire is less than two feet high by three feet wide. I gave you a pamphlet that explains Ohio's open burning regulations. Garbage, plastics, automobile parts, furniture, etc., cannot be open burned.

The open burning of residential waste at a site less than 1,000 feet from the nearest neighbor 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. I am enclosing a copy of this rule for you. If you continue to open burn improper waste materials, legal action will be taken against you.

If you have any questions regarding this matter, please contact me at 740-380-5217.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure