



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

July 2, 2008

Re: Jefferson County
Open Burning
Complaint 30000352

Certified: 70063450000190562765

Ms. Boley
500 Township Road 109-A
Jackson Heights
Rayland, Ohio 43943

Dear Ms. Boley:

I am writing this letter in response to a complaint received by this office on June 19, 2008. The complaint alleges that you are open burning demolition wastes from a trailer that is being torn down on your property in Jackson Heights.

On June 24, 2008, I investigated this complaint and spoke to you. You told me that you were burning some of the wood wastes from the trailer and that a township trustee had told you that you could burn these wastes. As I explained during our conversation, demolition wastes, plastics, wall board, etc. cannot be open burned in Ohio. There is a roll off dumpster on site that you said you would use to dispose of the remaining wastes.

Open burning of improper waste materials is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a maximum fine of up to \$25,000 per day per violation. 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, legal action may be taken against you. The Ohio EPA has the 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.

To open burn residential wastes such as paper, leaves, and tree trimmings that are generated on the property, the burn area must be 1,000 feet outside the city limits and 1,000 feet from the nearest neighbor. It does not appear that there is an area on your property that will meet this requirement; therefore, residential wastes also cannot be open burned on this property.

Ms. Boley
July 2, 2008
Page 2

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

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm