



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 Korieski, Director

May 2, 2008

Re: Jackson County  
Open Burning  
Complaint 30000181

Certified: 70041160000169053032

Mr. and Mrs. Boyd McCain  
McCain Transport  
111 Maple Ave  
Oak Hill, Ohio 45656

Dear Mr. and Mrs. McCain:

I am writing this letter in response to a report from the Madison Jefferson Fire Department, received by this office on April 4, 2008. The report states that Mr. Shawn Smith open burned tires at 2452 State Route 93, Oak Hill.

On April 17, 2008, I investigated this complaint. There was no one home at the time of my investigation. Evidence of a recent fire and partially buried tires was observed to the left of the driveway. I left Mr. Smith a pamphlet that explains Ohio's open burning rules in his door with my phone number.

County records indicate that you are the owners of the property. Please be aware that as the property owners, you can also be held responsible for any illegal burning that occurs on this property. I also tried to contact you by phone several times.

Open burning improper waste materials at this location 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 allow improper waste materials to be open burned on your property, legal action may be taken against you and Mr. Smith.

A copy of this letter is being forwarded to the local health department. The information within this letter can be evaluated by local health department and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

Mr. and Mrs. Boyd McCain  
McCain Transport  
May 2, 2008  
Page 2

Please contact me at 740-380-5217 or 1-800-686-7330 as soon as possible so that we can discuss this matter.

Sincerely,

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

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mlm

cc: The Jackson County Health Department  
cc: Madison Jefferson Vol. Fire Dept.