



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

April 12, 2007

Re: Jackson County
Open Burning
Complaint #20070056

Certified: 70063450000190545454

Ms. Patricia Rankin
20039 State Route 93
Wellston, Ohio 45692

Dear Ms. Rankin:

I am writing this letter in response to a complaint received by this office on March 1, 2007. The complaint alleges that you were open burning waste materials at 20039 State Route 93, Wellston, Ohio. On April 4, 2007, I investigated the complaint. I observed the site and saw evidence of improper waste disposal by the burning of plastic, wood, and metal waste materials. I explained the open burning rules to you and gave you a brochure about the open burning rules.

The open burning of wastes containing plastics, rubber, grease, garbage, asphalt, plastic coated wires, or treated wood products is not permitted in Ohio. The burning of residential wastes (yard waste and clean papers) for homeowners is allowed if the homeowner can burn at a spot located more than a thousand feet from the nearest inhabited residence. The location of the waste pile is not a thousand feet from another inhabited residence; therefore, you are not permitted to open burn your residential wastes at this site. The burning of plastic, wood, and metal wastes is not allowed anywhere in the State of Ohio. Continuing to open burn any improper waste materials by you at this site 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 Chapter 3745-19 must stop immediately.

Open burning is prohibited due to the location of your property and due to the adverse health impacts to people, especially children and the elderly, who may have breathing problems such as asthma, allergies or emphysema. By burning the plastic and painted wood waste materials, you are exposing yourself and anyone near the open burning to toxic chemicals. The toxic air pollutants from the open burning of waste materials can be deposited onto your lawn and garden where people and pets may come in contact with the pollutants. The ash and debris are washed into the waterways contaminating the streams. The burning causes the waste materials to be reduced to small particulates and toxic gases that are released at ground level where they are breathed into the lungs of anyone near the burning site. If you continue to open burn improper waste materials on your property, legal action will be taken against you.

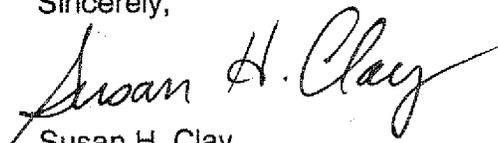
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I am requesting a written response from you within 30 days of receipt of this letter that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for clean up of the burn area and any remaining solid wastes, 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 the 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 the Ohio EPA at a later date.

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

Enclosed is a copy of OAC Chapter 3745-19 (Open Burning Standards). Please contact me at (740) 380-5229 if you have any questions.

Sincerely,



Susan H. Clay
Environmental Specialist
Division of Air Pollution Control

SHC/mlm

Enclosure

cc: The Jackson County Health District
The Wellston City Fire Department