



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-6501 FAX: (740) 385-6490
www.epa.state.oh.us

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

May 9, 2008

Re: Jackson County
Open Burning
Complaint

Certified: 70041160000169053100

Mr. Lyne Johnson
10282 Bulaville Pike
Bidwell, Ohio 45614

Dear Mr. Johnson:

On March 21, 2008, Mr. John Rochotte and Mr. Dennis Deavers of the Ohio EPA, Southeast District Office Division of Hazardous Waste Management and Division of Emergency and Remedial Response, respectively, investigated a report of open burning at 17987 State Route 124, Wellston. Drums filled with unknown liquids, oil, grease, and plastic pallets were being burned. Based upon their observations, this did not appear to be the first open burning fire on this property.

Oil, grease, plastic pallets, and liquid waste materials cannot be open burned for waste disposal purposes in Ohio. A business cannot open burn any type of waste material for disposal purposes. This includes paper, wood, tree trimmings, cardboard, etc.

Open burning 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. I am enclosing a copy of this rule for you. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately.

I am requesting a written response from you, within 10 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04. 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.

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

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure

cc: John Rochotte, DSIWM/SEDO
cc: Dennis Deavers, DERR/SEDO