



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

September 22, 2009

Re: Hocking County
Open Burning
Complaint 30001080

Certified: 70073020000178847633

Mr. Seth Martin
21282 Cherry Ridge Road
Logan, Ohio 43138

Dear Mr. Martin:

I am writing this letter in response to a complaint received by this office on September 8, 2009. The complaint states that on September 6, 2009, the Washington Township Fire Department responded to a fire at your home. Tires, a camper, brush and other wastes were being burned.

On September 14, 2009, I investigated this complaint. You were not at home at the time of my investigation. I left my business card and a pamphlet that explains Ohio's open burning rules in your front door. Evidence of the open burning of a camper, plastics, tires, garbage and other solid wastes was observed. These types of materials cannot be open burned anywhere in Ohio.

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. 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.

I am requesting a written response from you, within 14 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 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 Ohio EPA at a later date.

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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.

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

Enclosure

cc: The Hocking County Health District
cc: The Washington Twp. Fire Dept.