



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 Korteski, Director

June 3, 2009

Re: Hocking County
Open Burning
Complaint 30000903

Certified: 70063450000190557839

Ms. Deborah Speakman
21943 Chilcote Road
S. Bloomingville, Ohio 43152

Dear Ms. Speakman:

I am writing this letter in response to a report from the Hocking County Health Department received by this office on May 13, 2009. The complaint alleges that solid wastes are being open burned on your property.

On May 29, 2009, I investigated this complaint. You were not at home at the time of my investigation. I left my business card and a pamphlet in your door that explains Ohio's open burning rules. Evidence of the open burning of plastics, garbage, and other household wastes was observed in your backyard.

Garbage, plastics, furniture, automobile parts, etc., cannot be open burned in Ohio. Because your burn site is less than 1,000 feet from the nearest neighbor, you also cannot open burn residential waste such as paper, leaves, tree trimmings, etc. on this property. 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 fine. 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 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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Please contact me at 740-380-5217 or 1-800-686-7330 in regards to 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 Hocking County Health Department