



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

November 5, 2007

Re: Hocking County  
Open Burning  
Complaint 20070506

Certified: 70063450000190561546

Mr. Steve Keeton and Ms. Bobby Prichard  
21133 State Route 56  
Laurelville, Ohio 43135

Dear Mr. Keeton and Ms. Prichard:

I am writing this letter in response to a report from the Hocking County Sheriff's Office, received by this office on October 25, 2007. The report states that you were open burning tires behind your home on State Route 56.

On October 29, 2007, Mr. Ken Mettler of the Ohio EPA Southeast District Office's Division of Emergency and Remedial Response and I investigated this complaint and spoke to you, Ms. Prichard. We observed two burn piles where tires and other wastes were burned. There were several unburned tires near the burn site and along the drive way. Tires cannot be open burned anywhere in Ohio. You told us that the small tires were going to be recycled at Wal-Mart and the large tires would be properly disposed of in Columbus.

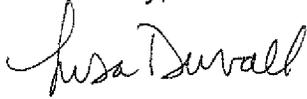
Open burning of this type is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. I am enclosing a copy of this rule for you. If you continue to open burn improper waste materials on this property or on any other property, legal action may be taken against you.

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, 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 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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If you have any questions, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,

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

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mlm

cc: Ken Mettler-DERR  
cc: The Hocking County Sheriff, 25 E. 2<sup>nd</sup> St., Logan, Ohio 43037  
cc: The Laurelville Fire Dept., 18751 Main St., Laurelville, Ohio 43135