



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

May 10, 2007

Re: Hocking County
Open Burning
Complaint 20070151

Mr. John Peters
Peters Plumbing and Heating
29064 Enterprise Rd.
Logan, Ohio 43138

Dear Mr. Peters:

I am writing this letter in response to a complaint received by this office on April 20, 2007. The complaint alleges that you are open burning unknown solid wastes at 29064 Enterprise Road, Enterprise.

On May 3, 2007, I investigated this complaint and spoke to you. Evidence of the open burning of boxes, pallets, wire, wood, yard wastes, and other debris was observed. A business cannot open burn for waste disposal purposes. To open burn residential wastes such as paper, leaves, tree trimmings, etc., the fire must be at least 1,000 feet from the nearest neighbor. Your burn area is not 1,000 feet from neighbors and most of the solid wastes appear to be from your business.

Open burning these types of wastes is a 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 may be taken against you.

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 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.

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

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control