



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

January 21, 2011

Re: Harrison County
Open Burning
Complaint 30001726

Certified: 70101060000178960743

Mr. Tom Hare
P.O. Box 535
Hopedale, Ohio 43976-0535

Dear Mr. Hare:

I am writing this letter in response to a complaint received by this office on December 30, 2010. The complaint alleges that Mr. Whipkey is burning demolition waste materials from a building that he owns in Hopedale. The property where the burning is being conducted is owned by you.

On December 30, 2010, I spoke to Mr. Whipkey by phone. He told me that the unburned wood waste, from a fire damaged building that he owns, was hauled to your property and was being burned.

On January 5, 2011, I investigated this complaint and spoke with you, Mr. Ritchie (who hauled the waste materials to your property), and Mr. Whipkey. Evidence of the open burning of demolition wood waste was observed on your property. As I explained at that time, demolition waste materials or any waste materials that are hauled to another property cannot be open burned for waste disposal purposes. I am enclosing a pamphlet that explains Ohio's open burning rules.

Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-03 must stop immediately. If you continue to open burn improper waste materials or allow others to open burn improper waste materials on this property, legal action may be taken against you as the property owner.

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

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mim

Enclosure