



**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: 70101060000178960750

Mr. Mike Ritchie
45887 Jewett Hopedale Road
Jewett, Ohio 43986-9514

Dear Mr. Ritchie:

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. You hauled these waste materials to the burn site for Mr. Whipkey and were involved in the burning of these materials.

On December 30, 2010, I spoke to Mr. Whipkey by phone. He told me that the unburned wood waste, from a fire damaged building he owns, was hauled to another property and was being burned. Mr. Tom Hare of Hopedale owns the property where the burning is being conducted.

On January 5, 2011, I investigated this complaint and spoke with you, Mr. Hare, and Mr. Whipkey. Evidence of the open burning of demolition wood waste was observed on Mr. Hare's 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 gave you and Mr. Whipkey a pamphlet that explains Ohio's open burning rules.

Open burning of improper waste materials where Mr. Hare's property is located is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a fine. I am enclosing a copy of this rule for you. 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 on Mr. Hare's property, legal action may be taken against you and Mr. Hare 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/mlm

Enclosure