



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

September 17, 2010

Re: Harrison County
Open Burning
Complaint 30001583

Certified: 70101060000178960248

Mr. Rick Meneely
317 Euclid Ave.
Jewett, Ohio 43986

Dear Mr. Meneely:

I am writing this letter in response to a complaint received by this office on September 3, 2010. The complaint alleges that you have been burning unknown waste materials on your property for the last four evenings.

On September 14, 2010, I investigated this complaint. I attempted to speak to you, but you were not 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 demolition waste materials was observed.

On September 15, 2010, I spoke to you by phone. You told me that you gave an old house trailer to a man who scrapped the wiring and metal and then burned the rest of the demolition wastes on your property. As I explained at that time, demolition wastes, wall board, plastics, flooring, carpet, etc., cannot be open burned in Ohio. As the property owner, you are legally responsible for any illegal open burning at this location.

Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a maximum fine of up to \$25,000 per day per violation. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If you continue to open burn or allow the open burning of improper waste materials on this property, 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. In addition, I am requesting the name and address of the man who did the burning so that I can contact him and inform him of Ohio's open burning rules. Acceptance by the Ohio EPA of a schedule for

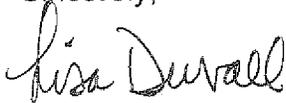
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compliance does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

A copy of this letter is being forwarded to Ohio EPA's Division of Solid and Infectious Waste Management (DSIWM). The information in this letter will be evaluated by DSIWM and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

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

Cc: The Jewett Vol. Fire Dept., P.O. Box 15, Jewett, Ohio 43986-0015
DSIWM, SEDO