



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

June 22, 2010

Re: Harrison County  
Open Burning  
Complaint 30001433

Mr. Ernest Kender  
18737 Cox Road  
Freeport, Ohio 43973

Dear Mr. Kender:

I am writing this letter in response to a complaint received by this office on June 10, 2010. The complaint alleges that trash and other household wastes are being burned at 18737 Cox Road, Freeport.

On June 15, 2010, I investigated this complaint and spoke to you. As I explained at that time, to open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the burn area must be at least 1,000 feet from the nearest neighbors and the property must be in an unrestricted area. Your burn site is not 1,000 feet from your neighbors. I observed evidence of open burning in a barrel to the left of your home and a burn site on the ground next to the garage. At the site near the garage, I saw evidence of a chair being burned. Furniture, tires, plastics, tires, shingles, etc., cannot be open burned anywhere in Ohio.

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 fine. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop. If you continue to open burn improper waste materials, legal action will be taken against you.

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