



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

April 8, 2010

Re: Harrison County  
Open Burning  
Complaint 30001309

Certified: 70063450000190558683

Mr. and Mrs. Hoge  
18725 Cox Road  
Freeport, Ohio 43973-8927

Dear Mr. and Mrs. Hoge:

I am writing this letter in response to a complaint received by this office on March 26, 2010. The complaint alleges that you are burning trash, tires, plastics and an old trailer on your property.

On April 5, 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 on the pickup truck in your driveway that explains Ohio's open burning rules. Evidence of the open burning of wood, plastics, garbage and other solid wastes was observed in an area next to your driveway. The remains of a trailer which had been burned was observed in your field.

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 immediately. I am enclosing a copy of this rule for you. 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 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. Acceptance by the 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.

A copy of this letter is being forwarded to the local health department. The information within this letter can be evaluated by local health department and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

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

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mlm

Enclosure

cc: Noble County Health District