



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

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www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

August 2, 2007

Harrison County  
Open Burning  
Complaint # 20070309  
Notice of Violation  
**Certified: 70063450000190547199**

Joseph and Jennifer Smyth  
d.b.a J & J Barnwood  
36019 Glasgow Road  
Salineville, OH 43945

**Subject: violation of open burning regulations**

Dear Mr. and Ms. Smyth:

My staff has informed me that your company has once again violated Ohio's open burning regulations.

Specifically, on June 23, 2007, representatives from your company intentionally open burned improper waste materials from a house which had been torn down at 39395 Deersville Ridge Road, in Cadiz. Open burning improper waste materials at this location constitutes a violation of Ohio Administrative Code rule 3745-19-04.

Despite the fact that you and/or your company representatives have been informed of Ohio's open burning regulations, your company continues to ignore the regulations. Failing to abide by the requirements specified in the regulations has caused the unnecessary release of air contaminants to the atmosphere and put a burden on the resources of those fire departments which have had to respond to your company's unlawful activities.

Because of this most recent violation and the violations cited in 2002 and 2004, I am referring this matter to our Central Office enforcement staff who will initiate appropriate enforcement action(s) against your company.

If you have any questions regarding this matter, please contact me at 740-380-5257.

Sincerely,

Bruce D. Weinberg, Manager  
Division of Air Pollution Control

BDW/mlm

cc: Tom Kalman, OEPA/DAPC/CO  
Lisa Holscher, USEPA/Region V  
Lisa Duvall, OEPA/DAPC/SEDO