



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

July 7, 2011

Re: Morgan County
Open Burning
Complaint 30001890

Certified: 70101060000178962624

Mr. Bill Hill
P.O. Box 40
Malta, Ohio 43758

Dear Mr. Hill:

I am writing this letter in response to a complaint received by this office on May 25, 2011. The complaint alleges that you burned a mobile home that you were scrapping on Penn Street, in Pennsville. This property is owned by Mr. Tom Penrose, who contracted you to clean up his property in Pennsville.

On June 3, 2011, I investigated this complaint. Evidence of the open burning of wood, insulation, demolition materials, and other solid waste materials was observed. I contacted Mr. Penrose in regard to this complaint. He informed me that he had contracted you to tear down a trailer on his property. He also told me that you told him that you had torn down over 150 trailers. He did not know that you intended to burn the trailer.

On June 28, 2011, I spoke to you at your home in Malta in regard to this complaint. As I informed you at that time, you cannot open burn demolition wastes in Ohio. I gave you a pamphlet that explains Ohio's open burning rules, even though you should be aware of these rules since you had been contacted by the Ohio EPA several years ago in reference to the burning of a house that you were tearing down.

Demolition wastes (including wood), insulation, carpet, furniture, etc. cannot be open burned for waste disposal purposes 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 immediately. If you continue to open burn improper waste materials on this property on any other property in Ohio, legal action will be taken against you.

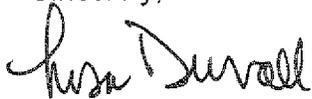
I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for cleanup of the burn area and any remaining solid wastes, and a copy of the landfill receipt as 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.

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A copy of this letter is being forwarded to Ohio EPA's Division of Materials and Waste Management (DMWM). The information in this letter will be evaluated by DMWM 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,

A handwritten signature in black ink that reads "Lisa Duvall". The signature is written in a cursive style with a large initial "L".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

cc: DWMW, SEDO