



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

November 12, 2010

Re: Morgan County
Open Burning
Complaint 30001645

Certified: 70101060000178961528

Mr. and Mrs. David Lively
9040 Stoneburner Road NW
Crooksville, Ohio 43731-9680

Dear Mr. and Mrs. Lively:

I am writing this letter in response to a complaint received by this office on October 20, 2010. The complaint alleges that you burn unknown waste materials on your property.

Elizabeth Herron of the Ohio EPA, Southeast District Office, Division of Hazardous Waste Management, investigated this complaint. During her investigation, she observed an area where you were burning pine trees and tree trimmings that you had cut from your property.

To open burn landscape wastes, such as tree trimmings, leaves, brush, etc., the tree trimmings must be dry, the property must be located in an unrestricted area (as your property is), and the burn site must be at least 1,000 feet from your nearest neighbor. It did not appear to Ms. Herron that the burn site on your property is 1,000 feet from your neighbor's house. If you want to open burn the landscape waste, you will need to find an area on your property that is at least 1,000 feet from your neighbor's home.

Open burning of landscape waste on this property without meeting the burn site location requirements is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. I am enclosing a copy of this rule that defines what landscape waste is and lists the requirements for open burning legally.

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

Enclosure

cc: Elizabeth Herron, DHWM-SEDO