



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

September 24, 2007

Re: Meigs County
Open Burning
Complaint 20070424

Certified: 70063450000190560303

Mr. Enis Troyer
37770 Dye Road
Rutland, Ohio 45775

Dear Mr. Troyer:

I am writing this letter in response to a complaint received by this office on September 6, 2007. The complaint alleges that you are open burning wood wastes from your sawmill on Dye Road, Rutland.

On September 13, 2007, I investigated this complaint and spoke to you. You told me that you were new to the area and were not aware that it was illegal to burn the wood scrap from the sawmill. Evidence of the open burning of wood slabs was observed. A business cannot open burn for waste disposal purposes. The wood slabs, sawdust, and any other waste material generated from your sawmill must be disposed of properly. These materials can be sold or given away for use in home heating, bedding for animals, etc.

Open burning of waste materials for disposal purposes is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a maximum fine of up to \$25,000 per day per violation. 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, legal action may be taken against you.

I am requesting a written response from you within 30 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 plan that outlines how these wastes will be properly disposed in the future. Acceptance by 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 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.

If you have any questions, 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

cc: Meigs County Health District