



**Environmental
Protection Agency**

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

March 15, 2011

Re: Guernsey County
Open Burning
Complaint 30001760

Certified: 70101060000178961962

Mr. Charles Miller
63141 Piedmont Road
Cambridge, Ohio 43725-9748

Dear Mr. Miller:

I am writing this letter in response to a complaint received by this office on February 23, 2011. The complaint alleges that you burn your trash at your home on Piedmont Road.

On March 1, 2011, 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 in your door that explains Ohio's open burning rules. I noticed a burned area on the ground between your home and your neighbors. The burn barrel had been removed.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area (as your property appears to be) and the burn site must be at least 1,000 feet from any inhabited building not on your property. Because there is not a burn site location on your property that is at least 1,000 feet from any inhabited building not on your property, you cannot open burn residential waste at this location.

You are permitted to have a cookout or campfire using clean, seasoned firewood if the fire is not more than two feet in height and not more than three feet in diameter. The fire must be put out when the cookout/campfire is over and cannot be left unattended.

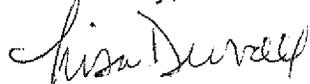
Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If you continue to open burn improper waste materials, 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. The Ohio EPA has the authority to seek civil penalties for violations of Ohio's open burning rules 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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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