



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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

October 17, 2007

Re: Guernsey County
Open Burning
Complaint 20070437

Mr. Brock Morgan
57470 Claysville Road
Cambridge, Ohio 43725

Dear Mr. Morgan:

I am writing this letter in response to a complaint received by this office on September 13, 2007. The complaint alleges that you are open burning furniture, wood, and other debris that you are hauling to your home on Claysville Road.

On October 2, 2007, I investigated this complaint. Evidence of the open burning of wood, furniture, metal, cans, etc., was observed near the driveway. There was no one home at the time of my investigation and I left a pamphlet and my phone number in your door.

On October 3, 2007, I spoke to you by phone and explained that anything that is hauled in cannot be open burned for waste disposal purposes in Ohio. You told me that you clean up old properties, houses, etc., and have been hauling the wood wastes to your property to burn them. When I explained that this was not permitted in Ohio, you stated that you would haul these materials to your brother's property to burn them. These materials cannot legally be burned on his property either, even if his property is 1,000 feet from the nearest neighbor. Nothing that is hauled in can be open burned for waste disposal purposes. If you open burn on your brother's property, legal action can be taken against both you and your brother, as the property owner. Furniture, demolition debris, plastics, tires, etc., cannot be open burned anywhere in Ohio. Because there is nowhere on your property that is more than 1,000 feet from the nearest neighbor, you also cannot open burn residential wastes on this property. Residential wastes include paper, leaves, tree trimmings, cardboard, etc.

Open burning of this type 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 may be taken against you.

If you have any questions, please contact me at 740-380-5217.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm