OhioEPA

State of Ohio Environmental Protection Agency

Southeast District Office

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

November 28, 2007

Re: Pike County
Open Burning
Complaint 30000013

Mr. Tim Cutler
122 Circle View Drive
Waverly, Ohio 45690-9410

Dear Mr. Cutler:

I am writing this letter in response to a complaint received by this office on November 9, 2007. The complaint alleges that leaves were opened burned at your property in Waverly.

On November 23, 2007, I investigated this complaint. There was on one home at the time of my investigation. I left a pamphlet in your backdoor that explains Ohio's open burning rules. Evidence of the open burning of leaves was observed in your side yard. I spoke to you later that day by phone and explained that because the burn site is in a restricted area, the open burning was in violation of State open burning rules. To open burn residential wastes such as leaves, your property must be in an unrestricted area (at least 1,000 feet outside of the city limits) and the fire must be at least 1,000 feet from the nearest neighbor. Your property does not meet either of these requirements.

Open burning of this type is in violation of Ohio Administrative Code rule 3745-19-03 and is punishable by fine. 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 or 1-800-686-7330.

Sincerely,

Lisa Duvall

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm