OhioEPA
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 8, 2009

Re: Pike County
Open Burning
Complaint 30001029

Certified: 70073020000178820476

Mr. Leroy Kuehner
P.O. Box 785
Piketon, Ohio 45661

Dear Mr. Kuehner:

I am writing this letter in response to a complaint received by this office on August 10, 2009. The complaint alleges that a trailer was burned on property you own at 3874 Loys Run Road, Piketon.

On August 18, 2009, I investigated this complaint and spoke to your tenant's daughter. Ms. Smith was not at home at the time of my investigation. Evidence of a burned house trailer was observed in the front yard near the road. On August 20, 2009, I contacted you by phone to discuss the situation. As I explained at that time, plastics, demolition wastes, garbage, etc. cannot be open burned anywhere in Ohio. Because there is no location on the property that is at least 1,000 feet from the nearest neighbor, residential waste such as paper, leaves, tree trimmings, cardboard, etc. also cannot be open burned on this property. The trash and residential waste generated at this location must be taken to a licensed landfill. I have also spoken to your tenant, Ms. Smith, and explained these rules.

Open burning 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. I am enclosing a copy of this rule for you. If the open burning improper waste materials continues on your property, legal action can be taken against you as the property owner.

We would appreciate your assistance in ensuring that the tenants residing at this property do not continue to open burn improper waste materials.

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 regarding this matter, please contact me at (740) 380-5217.

Sincerely,

Lisa Duvall

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/dh

Enclosure

cc: Pike County Health District