



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-8490
www.epa.state.oh.us

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

June 25, 2010

Re: Perry County
Open Burning
Complaint 30001356

Certified: 70073020000178849729

Ms. Joleen Wiseman
9284 Township Road 314
New Lexington, Ohio 43764

Dear Ms. Wiseman:

I am writing this letter in response to a complaint received by this office on April 16, 2010. The complaint alleges that you burned an old house on your property. The New Lexington Fire Department responded to the fire and put it out.

On April 27, 2010, 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. The burn site was to the left of your driveway and had been covered with dirt. A pine tree near the burn site had been damaged by the fire.

On April 30, 2010, I spoke to you by phone. You told me that the wiring, floor coverings and some the wood had been taken out of the house. The roof was also taken off so no shingles had been burned. As I explained at that time, houses, buildings, demolition wastes, etc., cannot be open burned in Ohio.

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 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 will be taken against you.

The Ohio EPA has the 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.

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.

Ms. Joleen Wiseman
June 25, 2010
Page 2

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, appearing to read "Lisa Duvall".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

cc: The Perry County Health District