



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 Korieski, Director

January 22, 2008

Re: Perry County
Open Burning
Complaint 30000066

Certified: 70063450000190560464

Mr. Greg Roberts
12795 Township Road 429
Mount Perry, Ohio 43760-9785

Dear Mr. Roberts:

I am writing this letter in response to a complaint received by this office on January 12, 2008. The complaint alleges that you are open burning wood and books at 12795 Township Road 429, Mount Perry.

On January 17, 2008, I investigated this complaint. It does not appear that anyone is living on this property. The residence has been condemned by the Perry County Health Department. Evidence of the open burning of various solid wastes was observed on the property.

Demolition materials, insulation, plastic-coated copper wire, tires, plastics, furniture, garbage, tires, etc., cannot be open burned in Ohio. Open burning of this type 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. I am enclosing a copy of this rule for you. If you continue to open burn improper waste materials or allow improper waste materials to be open burned on your property, legal action may be taken against you.

I am requesting a written response from you, within 10 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for clean up of the burn area and any remaining solid wastes, and a copy of the landfill receipt as proof of proper disposal. Acceptance by Ohio EPA of a schedule for compliance does not constitute a waiver of Ohio EPA's 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.

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If you have any questions, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,



Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure

cc: Mr. Ben Smith, Perry County Health Dept.