





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

November 27, 2007

Re: Perry County  
Open Burning  
Complaint 30000019

Certified: 70063450000190561683

Mr. Philip Badders  
TA's Landscaping  
P.O. Box 11  
Thornville, Ohio 43076-0011

Dear Mr. Badders:

I am writing this letter in response to a complaint received by this office on November 20, 2007. The complaint alleges that you are hauling in leaves from TA's Landscaping and open burning them at your home on State Route 13, Thornville.

On November 23, 2007, I investigated this complaint and spoke to you. At that time, you were unloading leaves from a box trailer in your yard. Evidence of previous fires was observed. I explained to you that the open burning of leaves, tree trimmings, grass clippings, etc. from the landscaping business that were hauled to your home (or hauled to any other property) is in violation of Ohio's open burning rules. Landscape wastes may only be burned on the property where they are generated if the property is located in an unrestricted area and the fire is at least 1,000 feet from the nearest neighbor.

Open burning by a business for the purpose of waste disposal 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, legal action may be taken against you and TA's Landscaping.

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

