



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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

June 27, 2008

Re: Perry County
Open Burning

Certified: 70063450000190562710

Mr. Tignor
7326 State Route 345 NE
New Lexington, Ohio 43764

Dear Mr. Tignor:

I am writing this letter in response to a report from the Crooksville Fire Department, received by this office on June 16, 2007. The report states that you were open burning construction debris, rugs, trash, a computer case, and TV screen at 7326 State Route 345, New Lexington. The fire department advised you to put the fire out, but they had to return an hour later to extinguish the fire.

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 fine. Construction wastes, plastics, garbage, furniture, televisions, etc., cannot be open burned in Ohio. To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the burn site must be at least 1,000 feet outside the city limits and 1,000 feet from the nearest neighbor. All open burning in violation of OAC rule 3745-19-04 must stop immediately. I am enclosing a copy of this rule for you. Please read it carefully. If you continue to open burn improper waste materials, legal action will be taken against you.

I am requesting a written response from you, within 14 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.

If you have any questions regarding this matter, please contact me at 740-380-5217.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mim

Enclosure

cc: The Crooksville Fire Dept.

