



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

April 8, 2011

Re: Washington County
Open Burning
Complaint 30001794

Certified: 70101060000178962211

Mr. Chris Lawrence
Ohio Valley Carpet Service
19153 State Route 821
Macksburg, Ohio 45746-8045

Dear Mr. Lawrence:

I am writing this letter in response to a complaint received by this office on March 25, 2011. The complaint alleges that you burn carpet and carpet padding waste materials from your business at your home.

On April 6, 2011, I investigated this complaint and left my business card and a pamphlet that explains Ohio's open burning rules in your back door. A large ash pile was observed in your backyard. Cardboard rolls and plastic were piled on top of the ash. It appears that waste materials from your business and residential waste are being burned on this property.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area (as your property is) and the burn site must be at least 1,000 feet from any inhabited building not on your property. Because there is not a burn site location on your property that is at least 1,000 feet from any inhabited building not on your property, you cannot open burn residential waste at this location. No waste materials from your carpet installation business can be open burned for disposal purposes.

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. 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.

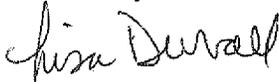
I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for cleanup of the burn area and any remaining solid wastes, and a copy of the landfill receipt as proof of proper disposal. Acceptance by the 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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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.

Please contact me at 740-380-5217 or 1-800-686-7330 so that we can discuss this matter.

Sincerely,



Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

cc: The Washington County Health District
cc: Dep. Reeder, The Washington County Sheriff's Office