



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 Korleski, Director

June 7, 2010

Re: Washington County
Open Burning
Complaint 30001305

Certified: 70063450000190559048

Ms. Becky Tennett
407 Franklin St.
Apartment A
Marietta, Ohio 45750

Dear Ms. Tennett:

I am writing this letter in response to a complaint received by this office on March 25, 2010. The complaint alleges that tires are being burned at 401- 3rd Street, in Macksburg.

On March 31, 2010, I conducted my initial investigation of this complaint. Evidence of the open burning of wood, tires and other wastes was observed in the front yard. As part of my investigation, I found that you are the owner of this property and that your daughter Christy Tennett lives at the 3rd Street address. Christy was not at home at the time of my investigation, but I spoke to Brittney and gave her my business card and a pamphlet that explains Ohio's open burning rules to give to Christy.

On May 25, 2010, I did a follow-up to my initial investigation and attempted to speak to Christy in reference to the open burning on your property. Christy would not come outside to speak to me; however, Mr. Matt Miller and another man spoke to me about the burning. During this second visit, I observed plastic garbage bags, household trash and other waste materials that were piled on top of the burn site. I was told that the residents of this home do not have trash pickup and are burning the household trash in the front yard.

Tires, garbage, automobile parts, furniture, plastics, etc., cannot be open burned in Ohio. Because this property is in a restricted area (within the corporation limits of the city), residential waste including paper, leaves, cardboard, tree trimmings, etc., cannot be open burned at this location. Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-03 must stop immediately. If your daughter continues to open burn improper waste materials on your property, legal action may be taken against your daughter and you as the property owner.

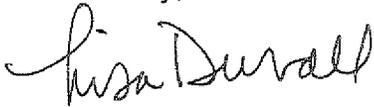
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I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to have the open burning, in violation of OAC rule 3745-19-03, at the 3rd Street address stopped.

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.

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

Sincerely,



Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

cc: The Washington County Health District, 342 Muskingum Dr., Marietta, Ohio 45750