



State of Ohio Environmental Protection Agency

Southeast District Office

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

April 18, 2008

Re: Washington County
Open Burning
Complaint 30000120

Certified: 70041160000169052851

Mr. Jeff Beaver
Jeff's Waterworks
17824 SR 550
Marietta, Ohio 45756

Dear Mr. Beaver:

I am writing this letter in response to incident reports from the Dunham Township Fire Department received by this office on February 27, 2008. The reports indicate that on January 10, 2008, you were burning demolition debris from a two-story farm house that you had been hired to tear down and on January 30, 2008, you were again burning demolition debris on property owned by Mary Hart, 4443 State Route 339, Belpre. The fire chief informed you on both dates that you could not burn these materials. On February 27, 2008, the fire department called this office to report that you were now burning the barn on Mrs. Hart's property. I spoke to you by phone on February 27th in regard to these fires. You had left a message at this office and inquired about obtaining a permit to burn these materials. I informed you that it was in violation of state open burning rules to burn demolition debris.

On February 29, 2008, I inspected the burn sites. Evidence of the open burning of several structures and many burn piles were observed. I spoke to Ms. Hart and her care giver during my investigation and explained that this type of burning was not permitted. As the property owner, Ms. Hart can also be held legally responsible for the illegal burning on her property. Several old trailers were still on the property. These trailers cannot be burned.

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. If you continue to open burn improper waste materials on this site, legal action can be taken against you as the contactor and Ms. Hart as the property owner. If you burn in violation of OAC Chapter 3745-19 on any other job site in Ohio, legal action will be taken against you.

