



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

May 3, 2007

Re: Washington County
Open Burning
Complaint 20070153

Certified: 70063450000190545669

Mr. Kenneth Young
10657 State Route 555
Cutler, Ohio 45724-5179

Dear Mr. Young:

I am writing this letter in response to a complaint received by this office on April 21, 2007. The complaint alleges that you are open burning trash, demolition debris from two mobile homes, insulation, and other solid wastes at 10657 State Route 555, Cutler.

On April 25, 2007, I investigated this complaint and spoke with your wife. Evidence of the open burning of demolition wastes, furniture, plastics, insulation, etc. was observed in your backyard. There was another pile of unburned demolition debris behind the burn site. Furniture, demolition wastes, plastics, insulation, etc. cannot be open burned in Ohio.

Open burning of this type 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 may be taken against you.

I am requesting a written response from you, within 15 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.

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, please contact me at this office at 740-380-5217.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

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

