



Environmental  
Protection Agency

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

July 12, 2011

RE: WAYNE COUNTY  
OPEN BURNING

Ms. Karen Holt  
9226 Hiner Road  
Wooster, Ohio 44691

Dear Ms. Holt:

The open burning which was conducted at 9226 Hiner Road, Wooster, Ohio is in violation of Ohio's air pollution regulations and prompt action needs to be taken.

**Cease Burning**

Immediately cease all burning for waste disposal purposes and find an alternate means of disposal.

On July 11, 2011, this office received "fire incident reports" from the New Pittsburgh Fire Department stating that illegal open burning had occurred at your residence on May 10 and June 27, 2011. Open burning for waste disposal purposes is strictly prohibited.

Please be advised that OAC Rule 3745-19-04, "Open burning in unrestricted areas" states in part, "No person shall **cause** or **allow** illegal open burning." Open burning for waste disposal purposes is strictly prohibited.

Bonfires, campfires, cooking for food, pleasure, religious, ceremonial, warmth or recreational fires can be legally conducted if the following conditions are met:

- 1). *The fires are fueled with clean seasoned firewood;*
- 2). *The fires are not used for waste disposal purposes; and*
- 3). *The fires shall have a total fuel area of **three (3) feet** or less in diameter and **two (2) feet** or less in height.*

Please be advised of OAC Rule 3745-19-06, "Open Burning Unilateral Order," which authorizes the Director to assess and collect administrative penalties of not more than two hundred-fifty dollars (**\$250.00**) per day for each separate violation of open burning. In addition, Section 3704.06, of the Ohio Revised Code, authorizes the Attorney General to seek penalties of up to twenty-five thousand dollars (\$25,000) for conviction of violating the Open Burning Regulations. Each day's violation, after a conviction, constitutes a separate offense and will be subject to the penalties as mentioned above.

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Finally, be aware that this letter in no way waives the right of the Ohio EPA to pursue additional enforcement action. If further violations are reported to this office, we will have no alternative than to refer this matter to our legal staff in Columbus for appropriate action. We hope that voluntary compliance will be forthcoming and that this action will not be necessary.

If you have any questions, please contact me at (330) 963-1209.

Sincerely,



Frank Elchesen  
District Representative  
Division of Air Pollution Control

FE:bo

pc: New Pittsburgh Fire Dept.

ec: Bob Princic, Ohio EPA, NEDO, DAPC