



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korieski, Director

October 7, 2010

RE: OPEN BURNING VIOLATION

CETIFIED MAIL

Mr. Joe Johnson, Sr.
168 Duncan Avenue
East Liverpool, OH 43920

Dear Mr. Johnson:

The Ohio EPA, Northeast District Office, received a complaint regarding open burning of materials on your property at 168 Duncan Avenue in East Liverpool, Ohio. The Liverpool Township Fire Department provided Ohio EPA an Incident Report on April 1, 2010. The report stated that wood, shingles, plastic, metal, siding and other house construction materials were being burned on the property. On April 20, 2010, I investigated the complaint and observed evidence of open burning on the property.

The purpose of this letter is to advise you of Ohio Administrative Code (OAC) Rule 3745-19-03, which prohibits open burning of materials for waste disposal purposes in restricted areas. A copy of the Open Burning Regulations is enclosed for your information.

Section 3704.99 of the Ohio Revised Code, provides a penalty of up to twenty-five thousand dollars (\$25,000) and/or up to one year imprisonment 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.

It is the responsibility of homeowners to see that no illegal open burning is conducted on their property. Therefore, any further burning must cease immediately upon receipt of this letter.

If further violations are reported and confirmed by representatives from our office, we will have no alternative than to refer the 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.

Should you have any questions regarding this letter, please contact me at (330) 963-1287.

Respectfully,

Darren Machuga
District Representative
Division of Air Pollution Control

DM:bo

enclosure