



**Environmental
Protection Agency**

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

April 19, 2012

Re: Tuscarawas County
Open Burning
Complaint 30002293

Mr. Don Deetz
6246 Buehler Road SW
Stone Creek, Ohio 43840

Dear Mr. Deetz:

I am writing this letter in response to a complaint received by this office March 30, 2012. The complaint alleges that residents at 345 and 317 Stone Creek Road SW, New Philadelphia are burning trash and residential waste. The Tuscarawas County Auditor's records list you as the owner of these properties.

On April 5, 2012, I investigated this complaint. Evidence of the open burning of trash and residential waste was observed at both addresses and I spoke to the residents, Mr. Murphy and Mr. Wissmer. I explained to both of them that plastics and garbage cannot be open burned in Ohio.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area (as these properties are) and the burn site must be at least 1,000 feet from any inhabited building not on the property. Because there is not a burn site location on these properties that is at least 1,000 feet from any inhabited building not on the property, residential waste cannot be open burned on these properties.

Open burning of improper waste materials at these locations 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 the open burning of improper waste materials continues at these locations, legal action may be taken against Mr. Murphy, Mr. Wissmer, and you as the owner of these properties. I am enclosing a pamphlet that explains this rule for you.

Any assistance you can provide to ensure that improper waste materials are not open burned at these properties would be greatly appreciated.

Southeast District Office
2195 Front Street
Logan, OH 43138-8637

740 | 385 8501
740 | 385 6490 (fax)
www.epa.ohio.gov