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

April 2, 2012

Re: Athens County
Open Burning
Complaint 30002249

Mr. Marvin Winchell
9810 Alderman Road
Millfield, Ohio 45761

Dear Mr. Winchell:

I am writing this letter in response to a Chauncey-Dover Fire Department report received by this office on March 9, 2012. The report indicates that the Fire Department has had several runs to your property in response to waste material fires.

On March 22, 2012, I investigated this complaint and spoke to you. Evidence of the open burning of wood, trash, plastics, household garbage, and other solid waste materials was observed behind the home that is being remodeled. As I explained at that time, plastics, garbage, furniture, demolition waste materials etc. cannot be open burned anywhere in Ohio. I gave you a pamphlet that explains Ohio's open burning rules.

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

Open burning of improper waste materials at this location 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 will be taken against you.

If you have any questions regarding this matter, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,

Lisa Duvall

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs

Enclosure

Cc: Bruce Weinberg-DAPC
Cc: The Chauncey-Dover Fire Dept., P.O. Box 224, Chauncey, Ohio 45719

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