



**Environmental
Protection Agency**

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

April 2, 2012

Re: Ross County
Open Burning
Complaint 30002264

Certified: 70102780000197044107

Mr. and Mrs. Daniel Betkey
2389 Trego Creek Road
Chillicothe, Ohio 45601

Dear Mr. Betkey:

I am writing this letter in response to a report from the Ross County Sheriff's Office received by this office on March 16, 2012. The Sheriff's report stated that you had burned a house on your property.

On March 22, 2012, I investigated this complaint and spoke to you, Mrs. Betkey. Evidence of the open burning of wood and demolition waste materials from a house was observed. As I explained at that time, houses, barns, standing buildings of any type, demolition waste materials, etc. cannot be open burned anywhere in Ohio.

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. I am enclosing a copy of this rule for you. 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 at this location, additional legal action(s) will be taken against you.

The Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. This matter is being referred to the Office of Legal Services of the Ohio EPA for consideration of legal action(s) because of the egregious nature of the open burning. The determination to pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

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

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs

Enclosure

Cc: Bruce Weinberg-DAPC