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

April 30, 2012

Re: Ross County
Open Burning
Complaint 30002305

Mr. Shawn Carter
Lot 23
1159 Cooks Hill Road
Chillicothe, Ohio 45601

Dear Mr. Carter:

I am writing this letter in response to a complaint received by this office on April 10, 2012. The complaint alleges that debris from the scrapping of old trailers is being burned in Shady Grove Mobile Home Park in Chillicothe.

On April 20, 2012, Mr. Ken Mettler of Ohio EPA's Southeast District Office, Division of Emergency and Remedial Response, and I investigated this complaint. Evidence of open burning of wood, demolition wastes, mattresses, plastics and other solid waste materials was observed in your backyard. As I explained to you at that time, plastics, furniture, demolition wastes etc. cannot be open burned anywhere in Ohio. I left my business card and a pamphlet in your door that explains Ohio's open burning rules.

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 at this location or any other location in Ohio, legal action may be taken against you.

Please provide a written response within 14 days of receipt of this letter, which includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for cleanup of the burn area and any remaining solid waste materials, and a copy of the landfill receipt as proof of proper disposal. Acceptance by Ohio EPA of this information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

A copy of this letter is being forwarded to the local health department. The information within this letter can be evaluated by local health department and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

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

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

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

cc: The Ross County Health District, 475 Western Ave., Suite A, Chillicothe, Ohio 45601