



**Environmental
Protection Agency**

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

May 17, 2012

Re: Muskingum County
Open Burning
Complaint 30002282

Mr. Kenneth Boyd
9955 Hoop Pole Road
Roseville, Ohio 43777

Dear Mr. Boyd:

I am writing this letter in response to a complaint received by this office March 29, 2012. The complaint alleges that you are burning plastic coated copper wire at your home.

On May 8, 2012, I investigated this complaint and spoke to you. Evidence of the open burning of wood, trash, plastics, electric motor wiring, plastic coated copper wire and other solid waste materials was observed. The ash pile was quite large. As I explained at that time, plastics, garbage, electric motors, 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 gave you a pamphlet that explains this rule. 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 will be taken against you.

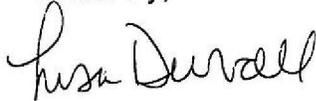
I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for cleanup of the burn area and any remaining solid waste materials, and a copy of the landfill receipt as proof of proper disposal. Acceptance by Ohio EPA of a schedule for compliance 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 Ohio EPA's Division of Materials and Waste Management (DMWM). The information in this letter will be evaluated by DMWM and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

Mr. Kenneth Boyd
Muskingum Co. Open Burning
May 17, 2012
Page 2

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

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs