



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

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Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

November 30, 2009

Re: Ross County  
Open Burning  
Complaint

Certified: 70073020000178847961

Mr. Steve Dearth  
162 Concord Church Road  
Chillicothe, Ohio 45601

Dear Mr. Dearth:

I am writing this letter in response to a complaint received by this office on November 18, 2009. The complaint alleges that you burn plastics, trash and motor oil at your garage on Concord Church Road, Chillicothe.

On November 25, 2009, I investigated this complaint and spoke to you. There is a burn barrel behind your garage and you told me that you burn cardboard from your business. As I explained to you at that time, a business cannot open burn for disposal purposes any type of waste that is generated from operating the business. You indicated that you would stop burning and remove the burn barrel from the property.

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 maximum fine of up to \$25,000 per day per violation. I gave you a pamphlet that explains Ohio's open burning rules. 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 may be taken against you.

If you have any questions regarding this matter, please contact me at 740-380-5217.

Sincerely,

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mlm