



State of Ohio Environmental Protection Agency

Southeast District Office

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

August 27, 2010

Re: Ross County
Open Burning
Complaint 30001510

Mr. David Michael
90 Meadow Drive
Chillicothe, Ohio 45601-9251

Dear Mr. Michael:

I am writing this letter in response to a complaint received by this office on July 28, 2010. The complaint alleges that you burned tires and railroad ties in your backyard.

On July 30, 2010, I investigated this complaint and spoke to you. You told me that the fire department told you that you could burn and that you had burned some yard wastes and landscape timbers on your property. The fire department was called to your house in response to a report they received about the fire. I spoke to the fire chief who responded to the fire at your property. We discussed the open burning rules and this specific fire call. He told me that the fire was out when the fire department arrived. He observed evidence of the burning of grass clippings, wood, and lumber.

As I explained at that time, to open burn residential waste such as paper, leaves, and tree trimmings, 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 your nearest neighbor. Because there is not a burn site location on your property that is 1,000 feet from your nearest neighbor, you cannot open burn residential waste at this location. Treated lumber and treated landscape timbers cannot be open burned in Ohio. I gave you a pamphlet that explains Ohio's open burning regulations.

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 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 may 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
Environmental Specialist
Division of Air Pollution Control

LD/mlm