



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

December 5, 2007

Re: Muskingum County  
Open Burning  
Complaint 30000030

Certified: 70063450000190561751

Mr. Ron King  
American Scrap and Recycling  
10590 Watson Rd.  
Newark, Ohio 43056-9064

Dear Mr. King:

I am writing this letter in response to a report from the Falls Township Fire Department, received by this office on November 26, 2007. The report indicates that you were burning computer monitors, cardboard, plastic, and other solid wastes at 2055 Grief Road, in Zanesville. This property is owned by the Ritchey Electric Sign Company.

On November 28, 2007, I investigated this complaint. There was no one at the burn site at the time of my inspection. Evidence of the open burning of computers, computer monitors, cardboard, insulation, and plastics were observed. There was a trailer loaded with computers and computer monitors on site. Businesses cannot open burn any waste materials for disposal purposes. Residential property owners cannot burn plastic-containing materials, insulation, carpet, etc. anywhere in Ohio.

Open burning of improper waste materials is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a maximum fine of up to \$25,000 per day per violation.

All open burning in violation of the requirements specified in OAC rule 3745-19-03 must stop immediately. I am enclosing a copy of this rule for you. If you continue to open burn improper waste materials on this property or on any other property in Ohio, legal action will be taken against you.

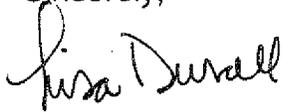
I am requesting a written response from you, within 14 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-03, a plan and schedule for clean-up of the burn area and any remaining solid wastes, and a copy of the landfill receipt as 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.

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A copy of this letter is being forwarded to Ohio EPA's Division of Solid and Infectious Waste Management (DSIWM). The information in this letter will be evaluated by DSIWM and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

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

Sincerely,



Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mlm

Enclosure: OAC rule 3745-19-03

cc: Dave Chenault, DSIWM/SEDO  
Falls Twp. Volunteer Fire Department