



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-8490
www.epa.state.oh.us

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

November 13, 2008

Re: Muskingum County
Open Burning
Complaint

Certified: 70063450000190557396

Mr. Ron Dalzel
1795 Coal Run Road
Zanesville, Ohio 43701

Dear Mr. Dalzel:

I am writing this letter in response to a report from the Washington Township Fire Department. The report and pictures clearly show demolition debris and other solid wastes being open burned.

On June 3, 2008, I investigated this complaint and found the burn site. There was no one at the property at the time of my investigation. Evidence of the open burning of wall board and other solid wastes was observed. A partially demolished camper/trailer was parked along the road.

Demolition and construction debris, plastics, roofing shingles, tires, plastic-coated copper wire and any waste materials that are hauled in to a property cannot be open burned in Ohio. Open burning improper waste materials on this property is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. I am enclosing 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.

I am requesting a written response from you, within 15 days of receipt of this letter, that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, 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.

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.

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Please contact me at 740-380-5217 or 1-800-686-7330 as soon as possible so that we can discuss this matter.

Sincerely,

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

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure

cc: The Muskingum County Health Dept.
cc: Chief Gene Hanning, The Washington Twp. Fire Dept.