



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

March 3, 2009

Re: Muskingum County
Open Burning
Complaint 30000745

Certified: 70073020000178821374

Mr. Evan Atkins
Mr. Jack Atkins
Williamsburg Square
6810 Raiders Road
Frazeyburg, Ohio 43822

Dear Sirs:

I am writing this letter in response to fire reports from the Frazeyburg Fire Department received by this office on January 26, 2009. The reports indicate that trailers, demolition debris, carpet, carpet padding and other waste materials have been open burned on Williamsburg Square property. The fires occurred on April 25, 2008, September 28, 2008, January 22, 2009 and January 23, 2009. The fire department informed the men who were doing the open burning that this type of burning was not permitted.

On February 4, 2009, I investigated these reports and spoke to you, Mr. Evan Atkins. Evidence of open burning was observed at the rear of the property in an open area next to the used trailers. Two men were on site separating out the metals. The men told me that they had burned some wood from a trailer. Pieces of burned wood and carpet were observed on the ground. As I explained to you at your office, a business cannot open burn any type of waste for disposal purposes. Trailers, demolition wastes, carpeting, wall coverings, plastics, etc., cannot be open burned in Ohio.

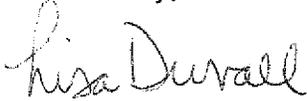
Open burning of this type is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a maximum fine of up to \$25,000 per day per violation. All open burning in violation of the requirements specified in OAC rule 3745-19-03 must stop immediately. This matter is being referred to the Ohio EPA, Division of Air Pollution Control, Enforcement Section for further action.

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.

Mr. Evan Atkins and
Mr. Jack Atkins
March 3, 2009
Page 2

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

Sincerely,

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

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

cc: Dave Chenault, DSIWM/SEDO