



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

December 31, 2009

Re: Muskingum County
Open Burning
Complaint

Certified: 70073020000178848111

Mr. Jeremy Pratt
J.P. Landscaping
5770 Hereford Lane
Nashport, Ohio 43830

Dear Mr. Pratt:

I am writing this letter in response to a complaint received by this office on November 30, 2009. The complaint alleges that leaves and yard wastes are being hauled to a property at 3925 East Pike, Zanesville and are being open burned. According to Muskingum County records, Ms. Huffman owns this property.

On December 1, 2009, I investigated this complaint. I attempted to speak to Ms. Huffman, but she was not home at the time of my investigation. Evidence of the open burning of leaves was observed. To open burn yard wastes such as leaves and tree trimmings that are generated on the property, the property must be located in an unrestricted area (as this property is) and the fire must be at least 1,000 feet from the nearest neighbor. The burn site behind the house is not 1,000 feet from the nearest neighbor. Waste materials that are hauled to the property cannot be open burned.

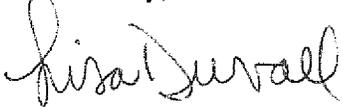
On December 4, 2009, I spoke to you by phone and explained the open burning rules. You told me that you had hauled the leaves to the property and were not aware that it was in violation of state rules to burn them. A business cannot open burn any type of waste material for disposal purposes.

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 fine. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. I am enclosing a copy of this rule for you. If you continue to open burn waste materials from your business on this property or on any other property, legal action will be taken against you.

Mr. Jeremy Pratt
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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". The signature is written in black ink and is positioned to the left of the typed name.

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure