



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

June 3, 2009

Re: Ross County
Open Burning
Complaint

Certified: 70063450000190557877

Mr. and Mrs. Eugene Carter
828 Rittenour Rd.
Kingston, Ohio 45644-9719

Dear Mr. and Mrs. Carter:

On April 23, 2009, Mr. Mike Sherron of the Ohio EPA's Southeast District Office observed open burning at 1025 Hallsville Pike, Kingston. Upon investigation, he found that you were burning down an old house. He advised you that this type of open burning is not permitted in Ohio. The siding on the house appeared to be transite paneling and he suspected that it contains asbestos.

On April 29, 2009, I investigated this complaint and inspected the burn site. There was no one on site at the time of my investigation. On May 1, 2009, I spoke to you, Mrs. Carter and explained that the open burning of a house is not permitted in Ohio. Mr. Sherron reported that you had called the Ross County Sheriff's Office to inform them of the burn. I contacted Ms. Palmer, who was the dispatcher that you spoke to. She told me that you informed her that you were having a "controlled burn". You did not tell her that you were open burning a house. I have also contacted Chief Terry French and the Green Twp. Fire Department. You did not call the fire department prior to setting the fire. Chief French saw the smoke and went to investigate the fire, but stated that the fire was almost out when he arrived. He did not authorize this fire for training purposes.

Open burning to dispose of a house at this location is in violation of Ohio Administrative Code rule 3745-19-04 and is punishable by a maximum fine of up to \$25,000 per day per violation. I am enclosing a copy of this rule for you. This case is being referred to Ohio EPA's Legal Section for further action.

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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".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm

Enclosure

cc: The Green Twp. Fire Dept