



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 8, 2009

Re: Ross County
Open Burning

Certified: 70063450000190557860

Mr. Rod Stamper
187 Shepperd Rd.
Frankfort, Ohio 45628-9030

Dear Mr. Stamper:

On May 29, 2009, Mr. Mike Sherron of the Ohio EPA's Southeast District Office observed the open burning of a structure at 2928 County Road 87, Frankfort. Upon investigation, he learned that you had been hired by Mr. Roger Arledge to demolish a barn and dispose of it. The barn had been shoved in and the demolition debris had been set on fire.

On June 2, 2009, I met with you and Mr. and Mrs. Arledge. As I explained at that time, buildings and/or demolition debris cannot be open burned in the State of Ohio for waste disposal purposes. Both you and Mr. Arledge told me that the Ross County Sheriff's Office had been informed of the burning and no one at the Sheriff's Office had informed either of you that you could not burn the demolition debris. The Concord Township Fire Chief also responded to the fire.

While it is unfortunate that you were not informed by the Sheriff's Office that open burning the barn demolition debris was not a legal activity, we are not privileged to the actual communication between you and the Sheriff's Office and, as such, we cannot determine if the Sheriff's Office was given enough information to advise you appropriately.

In the future, if you have any questions about Ohio's open burning regulations, please contact your local fire department or our office rather than the Sheriff's Office as we are in a better position to address these matters.

Open burning demolition debris at this location is in violation of Ohio Administrative Code (OAC) 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. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop. If you continue to open burn improper waste materials, legal action will be taken against you.

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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.

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 Ross County Health District
Cc: The Concord Twp. Fire Dept.
Cc: Mike Sherron, DERR