



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

June 15, 2012

Re: Washington County
Open Burning
Complaint 30002362

Certified: 70102780000197044541

Mr. Russ Tuten
Executive Director
Fort Harmar Rifle Range
P.O. Box 475
Marietta, Ohio 45750

Dear Mr. Tuten:

I am writing this letter in response to a complaint received by this office on May 25, 2012. The complaint alleges that cars are being hauled to the rifle club and propane tanks are put inside the vehicles. They are then used for target practice until they explode and/or burn up. This has reportedly been done several times in the past.

On May 30, 2012, I investigated this complaint. No one was present at the Harmar Rifle Range at that time. Evidence of the open burning of seven cars, several motorcycles and household appliances was observed. The vehicles and appliances had burned so hot that the paint had been burned off. It does not appear that any measures were taken to extinguish the fires. The grass under and around the area was also burned. I left my business card and a pamphlet in the door of the building on site.

Vehicles, tires, furniture, appliances, plastics, garbage, etc. cannot be open burned in Ohio.

I spoke to you by phone on June 1, 2012, and explained that you could not allow the burning of these types of materials. If vehicles are used for target practice the oil, transmission fluid and other flammables must first be removed. If the flammable materials are removed vehicles may be used for target practice as long as no fires or contamination of the ground from the liquids occurs. The club is responsible to ensure that no burning occurs and that fluids do not contaminate the ground or water.

Open burning of improper materials 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 immediately. If the Harmar Rifle Club continues to allow the open burning of improper materials at this location or any other location in Ohio, legal action will be taken against the rifle club.

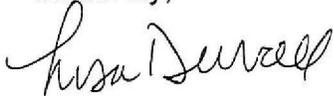
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Please provide a written response, within 14 days of receipt of this letter, which includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for cleanup of the burn area and any remaining solid waste materials, 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.

If you have any questions regarding this matter, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,



Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs

Enclosure

cc: The Washington County Health District, 342 Muskingum Dr. Marietta, Ohio 45750