



**Environmental  
Protection Agency**

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

July 27, 2012

Re: Washington County  
Open Burning  
Complaint 30002428

Mr. Orman Whited Jr.  
975 Blue Knob Road  
Marietta, Ohio 45750

Dear Mr. Whited:

I am writing this letter in response to a report from the Warren Township Volunteer Fire Department received by this office June 5, 2012. The report states that creosote telephone poles, lumber and other wastes were burned at the race track on Blue Knob Road.

On July 17, 2012, Sergeant Anderson of the Washington County Sheriff's Office and I investigated this complaint. Evidence of the open burning of wood, telephone poles and other solid waste materials was observed on the right side of the race track property. We spoke to you at Hilltop Auto Wrecking. You are the owner of the race track property that is next to Hilltop Auto Wrecking. As I explained at that time, a business cannot burn any type of waste for disposal purposes. This includes paper, cardboard, wood, tree trimmings, etc. Treated wood cannot be burned anywhere in Ohio. You told us that the property is leased to Steve Valencourt, who is operating the race track and you would inform him that he could not burn on your property.

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. I am enclosing a copy of this rule for you. As the property owner you can be held responsible for the burning at the racetrack. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If the open burning of improper waste materials at this location continues legal action may be taken against you.

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