



**Environmental
Protection Agency**

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

August 31, 2012

Re: Muskingum County
Open Burning
Complaint 30002509

Certified: 70102780000197061333

Mrs. Linda Riley
3920 Boggs Road
Zanesville, Ohio 43701

Dear Mrs. Riley:

I am writing this letter in response to a complaint received by this office on August 20, 2012. The complaint alleges that you have continued to burn wastes at your home.

On August 20, 2012, I investigated this complaint and spoke to you. You told me that you had hauled "stuff" up from the pond area and your nephew may have burned these wastes. Evidence of the open burning of wood and paper was observed behind your garage and in the valley behind the house.

On June 20, 2012, I investigated a similar complaint. You were not home at the time of my investigation. In a letter dated June 25, 2012, I informed you that the burning of residential wastes was not permitted on this property because the burn sites are not 1,000 feet from your neighbor's homes.

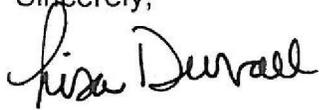
Open burning of improper waste materials on this property is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If you continue to open burn improper waste materials at this location or any other location in Ohio, legal action will be taken against you.

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 this information 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.

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

Sincerely,

A handwritten signature in black ink that reads "Lisa Duvall". The signature is written in a cursive style with a large initial "L".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs