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

December 2, 2011

Re: Belmont County
Open Burning
Complaint 30002141

Certified: 70101060000178963492

Mr. and Mrs. Jim Weekley
65102 Breezy Point Lane
Bellaire, Ohio 43906-9746

Dear Mr. and Mrs. Weekley:

I am writing this letter in response to a complaint received by this office on November 21, 2011. The complaint alleges that you burned brush on your property across from your home on Breezy Point Lane, Bellaire. Pictures of the fire were submitted by the complainant.

In September of 2010, the Ohio EPA received a complaint of burning trash on your property. During that investigation, I observed two burn areas on or near your property. The first area was across from your home where I saw a rock fire ring with sticks inside the ring. The second area was to the right of your home where there was a tire rim with sticks and wood inside. Both burn areas were within 1,000 feet of neighboring homes. I left a pamphlet in your door that explains Ohio's open burning rules. On September 8, 2010, I spoke to you, Mrs. Weekley and explained that to burn residential waste such as paper tree trimmings, tree limbs and sticks you must be at least 1,000 feet from your neighbors' homes and that you are permitted to burn clean seasonal wood for a cookout or campfire.

In April of 2011, the Ohio EPA received another complaint of burning trash at your home. A Belmont County Sheriff's deputy responded to that fire. Paper and tree trimmings had been burned. On May 4, 2011, I investigated this complaint and spoke to you, Mrs. Weekley. You showed me the burn site behind your home near the tree line. At that time, I explained that this burn site was not 1,000 feet from your neighbors' homes and you could not burn residential waste on this property. A follow-up letter was sent on June 8, 2011. In that letter, I again explained you cannot open burn residential waste on your property because you are not 1,000 feet from your neighbors' homes.

On November 23, 2011, I investigated the most recent complaint. I spoke to both of you. You told me that you had a cookout with several family members and a few neighbors. I observed the area where you had the fire. The ash pile was slightly larger than three feet long, but the ash was not as deep as it appeared in the pictures that had been sent by the complainant. There were no shovel marks in the remaining ash to indicate that the pile had been cleaned up. The wood spool that was used as a table

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and a chair were still near the ash pile. You told me that a friend at the cookout had taken pictures. In light of the previous complaints, could you please send me some of the pictures so that I can demonstrate that this was a cookout fire and not a fire used for waste disposal purposes? I would also appreciate any other information you could provide to demonstrate that this was a cookout and not a fire used for waste disposal purposes.

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

Sincerely,

Lisa Duvall

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/mlm