Environmental Protection Agency

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

December 14, 2011

Re: Guernsey County
Open Burning
Complaint 30002139

Certified: 70101060000178963577

Mr. John Clark
5988 Bloomfield Road
Cambridge, Ohio 43725-9707

Dear Mr. Clark:

I am writing this letter in response to a complaint received by this office on November 21, 2011. The complaint alleges that you burned tires at this address.

On November 30, 2011, I investigated this complaint and spoke to Greg Clark. Evidence of the open burning of wood, a couch, and tires was observed. As I explained at that time, plastics, tires, furniture, etc. cannot be open burned anywhere in Ohio. Greg told me that you and he cut and sell fire wood and sometimes burn the small limbs and also have cookouts. I explained that a cookout or campfire must be kept small. The size of the fire cannot exceed three feet in diameter by two feet in height. Tires, wood that is hauled in to a property (tree wastes from the fire wood business) and furniture cannot be burned.

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 pamphlet that explains this rule for you. 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, legal action will be taken against you.

I am requesting a written response from you, 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 wastes, and a copy of the landfill receipt as proof of proper disposal. Acceptance by the 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.

Southeast District Office
2195 Front Street
Logan, OH 43138-8637

740 | 385 8501
740 | 385 6490 (fax)
www.epa.ohio.gov

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

Enclosure

Cc: Bruce Weinberg, SEDO-DAPC