



**Environmental  
Protection Agency**

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

March 29, 2012

Re: Belmont County  
Open Burning  
Complaint 30002259

Ms. Mildred Folton-Rice  
73492 Pleasant Grove Road  
P.O. Box 141  
Colerain, Ohio 43916

Dear Ms. Folton-Rice:

I am writing this letter in response to a complaint received by this office on March 14, 2012. The complaint alleges that trees are being hauled to your property to be cut for firewood and the unwanted limbs and branches are being burned.

On March 20, 2012, I investigated this complaint. Large pine trees were piled around the backyard. Evidence of the open burning of unseasoned pine limbs and branches was observed. I attempted to speak to you, but you were not home at the time of my investigation. I left my business card and pamphlets that explain Ohio's open burning rules in your backdoor and on your mailbox.

Any type of waste material that is generated from materials hauled in from another property cannot be open burned for disposal purposes. This includes the tree trimmings that are cut from trees that were hauled to this property.

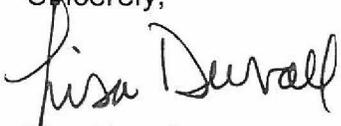
To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., (1) the property must be located in an unrestricted area (as your property is); (2) the residential waste must be generated on the property it is open burned on; and (3) the burn site must be at least 1,000 feet from any inhabited building not on your property. As mentioned above, because the tree trimmings came from trees hauled to this property, the tree trimmings cannot be open burned on this property. However, because there is not a burn site location on your property that is at least 1,000 feet from any inhabited building not on your property, you cannot open burn residential waste at this location.

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. 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.

Ms. Folton-Rice  
Belmont County  
March 29, 2012  
Page 2

Please contact me at 740-380-5217 or 1-800-686-7330 as soon as possible so that we can discuss this violation.

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

Cc: Bruce Weinberg-DAPC

Cc: The Colerain Fire Dept., P.O. Box 3, Colerain, Ohio 43916