



**Environmental
Protection Agency**

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

March 6, 2012

Re: Muskingum County
Open Burning
Complaint 30002230

Mr. and Mrs. Arno
1555 Back Run Road
Philo, Ohio 43771

Dear Mr. and Mrs. Arno:

I am writing this letter in response to a complaint received by this office on February 22, 2012. The complaint alleges that you burned piles of grasses and weeds on property on South Cove Road, Norwich.

On February 22, 2012, the New Concord Fire Department responded to a report of a fire on Cove Road. Upon arrival they found that brush had been burned and the fire had spread over three quarters of an acre. The fire department extinguished the fire. While investigating another complaint of open burning on South Cove Road on February 22, 2012, I observed the property where the brush fire got out of control.

On February 27, 2012, I spoke to both of you by phone in regard to this complaint and explained Ohio's open burning rules.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area (as your property is) and the burn site must be at least 1,000 feet from any inhabited building not on your property. The existing burn site is not 1,000 feet from your neighbor's home. If there is not a burn site location on this property that is at least 1,000 feet from any inhabited building not on your property, then residential waste cannot be open burned on this property.

You are permitted to have a cookout or campfire using clean, seasoned firewood if the fire is not more than two feet in height and not more than three feet in diameter. The fire must be put out when the cookout/campfire is over and cannot be left unattended.

Open burning of residential waste without meeting the above-mentioned distance requirement 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 and 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 may be taken against you.

Mr. and Mrs. Arno
South Cove Road, Norwich
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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

Enclosure

Cc: Bruce Weinberg-DAPC