



**Environmental
Protection Agency**

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

March 9, 2012

Re: Ross County
Open Burning
Complaint 30002201

Certified: 70102780000197043995

Mr. and Mrs. Dennis Corcoran
1297 East Hydell Road
Chillicothe, Ohio 45601

Dear Mr. and Mrs. Corcoran:

I am writing this letter in response to a complaint received by this office on February 3, 2012. The complaint alleges that you tore down a two-story house on East Hydell Road and burned the demolition waste materials.

On February 17, 2012, I investigated this complaint. The lot where the house had been was leveled with freshly worked dirt. I attempted to speak to you, but you were not home at the time of my investigation. I left my business card with a young man who was at the barn on the East Hydell Road property.

On February 24, 2012, I spoke to you, Mr. Corcoran, by phone in regard to this complaint. You told me that you did not contact the fire department, but had a "contained fire". The Department of Natural Resources had contacted you about previous open burning on your property, so you were aware that there are restrictions on what can be open burned legally.

A standing home, building, barn, shed, demolition or construction waste materials, tires, etc., cannot be open burned for waste disposal purposes in Ohio. Open burning of improper waste materials at the East Hydell Road location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a maximum fine of up to \$25,000 per day per violation. I am enclosing a copy of his rule for you.

Because of the egregious nature of the open burning and because you were previously notified of Ohio's open burning regulations, this case is being referred to the Ohio EPA, Office of Legal Services for consideration of further enforcement action. The Ohio EPA has the 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.

Mr. and Mrs. Corcoran
East Hydel Road
March 9, 2012
Page 2

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" and "D".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs

Enclosure

Cc: Tom Kalman, DAPC-CO
Bruce Weinberg, DAPC-SEDO.