



**Environmental
Protection Agency**

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

March 14, 2012

Re: Perry County
Open Burning

Mr. George Arnett
6075 State Route 312
Logan, Ohio 43138

Dear Mr. Arnett:

On several occasions while traveling on State Route 312, I observed a large pile of materials that contained trash, garbage, furniture and other solid wastes at your home. On March 9, 2012, I stopped by to speak to you about the pile of materials, but you were not at home. The pile of materials had been burned. Evidence of the open burning of wood, trash, plastics, household garbage, furniture and other solid waste materials was observed.

Garbage, plastics, furniture, tires, etc., cannot be open burned in Ohio. 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 waste materials, 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.

A copy of this letter is being forwarded to the local health department. The information within this letter can be evaluated by local health department and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

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

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs

Enclosure

Cc: Bruce Weinberg-DAPC

Cc: The Perry County Health District, P.O. Box 230, New Lexington, Ohio 43764