



**Environmental  
Protection Agency**

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

January 19, 2012

**Re: Hocking County  
Open Burning  
Complaint 30002182**

Mr. Ogle  
26771 Main Street  
Rockbridge, Ohio 43149

Dear Mr. Ogle:

I am writing this letter in response to a complaint received by this office on January 4, 2012. The complaint alleges that demolition waste materials from an old house were burned at the corner of Washington Street and Main Street, Rockbridge.

On January 6, 2012, I investigated this complaint and spoke to you. Evidence of the open burning of wood, house siding and other demolition waste materials was observed in a pit behind the house on Washington Street that you own. You told me that you had spoken to the Good Hope Township Fire Chief and were told that you could burn the wood from the house if you burned in a pit. Unfortunately, the information you received about the wood waste materials was not correct. As I explained at that time, demolition waste materials (including wood) cannot be open burned anywhere in Ohio.

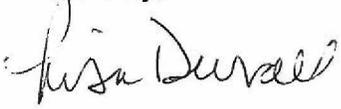
Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a maximum fine of up to \$25,000 per day per violation. I gave you a pamphlet that explains this rule and a copy of the code rule for you. All open burning 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.

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.

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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 cursive script that reads "Lisa Duvall".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/dh

cc: Bruce Weinberg, DAPC