



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

January 15, 2013

Re: Jackson County
Open Burning
Complaint 30002639

Ms. Theresa Andrea
105 Center Street (Glen Roy)
Wellston, Ohio 45692

Dear Ms. Andrea:

I am writing this letter in response to a complaint received by this office December 26, 2012. The complaint alleges that your daughter, Micheala Wickliffe burns in the yard of this property. You are the property owner.

On January 9, 2013, I investigated this complaint. Evidence of the open burning of wood, clothes, plastics and other solid waste materials was observed in two locations on the property. I attempted to speak to you or Ms. Wickliffe, but neither of you were home at the time of my investigation. I left my business card and a pamphlet that explains Ohio's open burning rules in your door.

Plastics, clothing, garbage etc., cannot be open burned in Ohio. 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. 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.

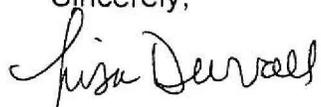
Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If you or your daughter continue to open burn improper waste materials at this location legal action may be taken against you.

Please provide a written response, 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 Ohio EPA of this information 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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Please contact me at 740-380-5217 or 1-800-686-7330 so that we can discuss this complaint.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs