



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

June 17, 2009

**Re: Washington County
Open Burning
Complaint 30000924**

Certified Mail: 70073020000178820599

Ms. Christie Harper
834 Masonic Park Road
Marietta, Ohio 45750

Dear Ms. Harper:

I am writing this letter in response to a complaint received by this office on June 1, 2009. The complaint alleges that you burn trash and garbage at your home.

On June 5, 2009, I investigated this complaint. You were not at home at the time of my investigation. I left my business card and a pamphlet in your front door that explains Ohio's open burning rules. Evidence of the burning of garbage, cans, plastic bottles, corn cobs, magazines and other solid wastes was observed in your backyard.

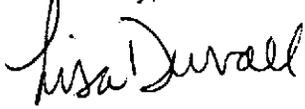
Garbage, plastics, furniture, etc. cannot be open burned anywhere in Ohio. To open burn residential waste such as paper, cardboard, tree trimmings, etc., the property must be located in an unrestricted area (your property is) and the burn site must be at least 1,000 feet from the nearest neighbor. There does not appear to be a location on your property that would be 1,000 feet from the nearest neighbor. Therefore, you cannot open burn residential waste on this property. Open burning 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 copy of this rule for you. 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, that includes a commitment from you to stop open burning in violation of OAC rule 3745-19-04, a plan and schedule for clean up of the burn area and any remaining solid wastes, 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.

Sincerely,

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

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/dh

Enclosure