



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

June 12, 2013

Re: Muskingum County  
Open Burning  
Complaint 30002846

Mr. and Mrs. Robert Hatfield  
219 Water Street  
Philo, Ohio 43771

Dear Mr. and Mrs. Hatfield:

I am writing this letter in response to a complaint received by this office May 24, 2013. The complaint alleges that you burn demolition wastes, tree trimmings and other wastes on your property.

On May 29, 2013, I investigated this complaint and spoke to you, Mrs. Hatfield, at your home. I also spoke to Mr. Hatfield by phone. Evidence of the open burning of logs, tree trimmings, plastics, carpet, and other solid waste materials was observed. A large pile of tree limbs from several types of trees were piled on top of the burn site. You told me that the village had trimmed trees and people had put the tree trimmings on your property. I did not see evidence of demolition wastes on the property. Because your property is in a restricted area you cannot burn residential wastes, including tree trimmings, grass, cardboard, leaves, paper, etc. I left my business card and a pamphlet that explains Ohio's open burning rules.

Plastics, tires, demolition or construction waste materials, garbage, or any type of waste material that is hauled to a property from another location cannot be open burned in Ohio.

You are permitted to have a cookout or campfire using clean, seasoned firewood if the fire is not more than two feet in height and not more than three feet in diameter. The fire must be put out when the cookout/campfire is over and cannot be left unattended.

Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and is punishable by a fine. If you continue to open burn improper waste materials at this location or any other location in Ohio, legal action may be taken against you.

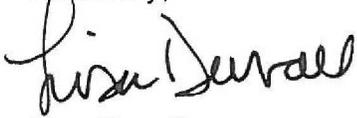
I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to stop open burning in violation of OAC rule 3745-19-03, a plan and schedule for cleanup of the burn area and any remaining solid waste materials, and a copy of the landfill receipt as proof of proper disposal. Acceptance by Ohio EPA of 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.

Mr. and Mrs. Robert Hatfield  
Open Burning, Muskingum County  
June 12, 2013  
Page 2

The determination to pursue or to decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

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, appearing to read "Lisa Duvall". The signature is written in a cursive style with a large initial "L".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/cs