



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

June 17, 2013

Re: Belmont County
Open Burning
Complaint 30002821

Certified: 70102780000197079796

Mr. James Eberlin
459 High Street
Flushing, Ohio 43977

Dear Mr. Eberlin:

I am writing this letter in response to a complaint received by this office on May 3, 2013. The complaint alleges that you burn trash, aerosol cans, roofing materials and other wastes at your home.

On May 15, 2013, I investigated this complaint. I attempted to speak to you, but you were not 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. The burn site had been cleaned up.

Plastics, demolition or construction waste materials, garbage, roofing materials etc. cannot be open burned in Ohio.

It appears that your property is in a restricted area. Therefore you cannot open burn residential wastes on this property. This includes paper, leaves, tree trimmings, cardboard, etc. If I am mistaken and the property is in an unrestricted area you would still not be permitted to burn residential wastes because the burn site on your property is less than 1,000 feet from the nearest neighbor's home.

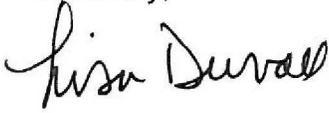
Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 (or 3745-19-04) and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-03 (or 3745-19-04) must stop immediately. If you continue 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 (or 3745-19-04) and receipts from a landfill or licensed trash pickup service to document that you are properly disposing of your household wastes.

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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/cs