



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

July 8, 2013

Re: Guernsey County
Open Burning
Complaint 30002888

Certified: 70122920000138146475

Resident
322 Mill Street
Cumberland, Ohio 43732

Dear Resident:

I am writing this letter in response to a complaint received by this office June 17, 2013. The complaint alleges that you are burning trash and household wastes in your backyard.

On July 2, 2013, I investigated this complaint. Evidence of the open burning of wood, trash and other solid waste materials was observed. 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.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area. This property is in a restricted area, therefore you cannot burn residential wastes on this property.

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. All open burning in violation of the requirements specified in OAC rule 3745-19-03 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.

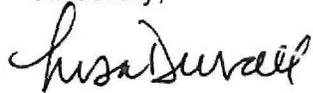
I am requesting a written response from you, within 14 days of receipt of this letter, which includes a commitment from you to stop open burning in violation of OAC rule 3745-19-03, a plan and schedule for cleanup of the burn area and any remaining solid waste materials, and a copy of the landfill receipt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

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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