



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

November 2, 2012

Re: Muskingum County  
Open Burning  
Complaint 30002551

Mr. Tim Nolan  
2929 Maysville Pike  
Zanesville, Ohio 43701

Dear Mr. Nolan:

I am writing this letter in response to a complaint received by this office September 17, 2012. The complaint alleges that you burned semi-tires and other debris at Moxahala Place, White Cottage.

On September 24 and October 3, 2012, I investigated this complaint. This is a commercial property that was once an amusement park. Evidence of the open burning of wood, tires and other solid waste materials was observed. I attempted to speak to you, but you were not present during either investigation. I spoke with an individual at the park during my first visit and Don Riggle on my second visit to the property. I left my business card and a pamphlet with them 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.

*Because this is a commercial property and not a residential property, wastes such as tree trimmings, paper, cardboard, etc. cannot be burned on this property.*

Mr. Riggle mentioned that deer hunters may camp on this property during deer season. 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 3745-19-04 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 continue to open burn improper waste materials at this location or any other location in Ohio, legal action may be taken against you.

Mr. Tim Nolan  
Muskingum County Open Burning  
November 1, 2012  
Page 2

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