



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

November 26, 2012

Re: Washington County  
Open Burning  
Complaint 30002599

**Certified: 70102780000197061708**

Mr. Russ Tuten, Executive Director  
Fort Harmar Rifle Range  
P.O. Box 475  
Marietta, Ohio 45750

Dear Mr. Tuten:

I am writing this letter in response to a complaint received by this office October 29, 2012. The complaint alleges that on October 28, 2012, there were explosions and black smoke from burning cars and tires at the Fort Harmar Rifle Range.

On November 2, 2012, I investigated this complaint. Evidence of the open burning of three cars and one truck was observed. All of the vehicles appeared to have intact interiors and tires before they were burned. There were also several bullet-riddled drums at the site which contained an unknown liquid.

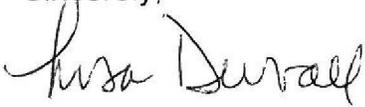
As I explained in my previous letter, dated June 15, 2012, and by phone on June 1, 2012, it is a violation of Ohio Administrative Code (OAC) rule 3745-19-04 to burn automobiles, appliances, etc. When using automobiles for target practice the flammable fuels must be removed and the vehicles cannot be burned. In a response to me, dated July 1, 2012, you informed me that you were using pressure-sensitive binary compounds which are not combustible. You indicated that additional procedures were being put in place by the Fort Harmar Rifle Club for future events to ensure compliance with the requirements contained in OAC rule 3745-19-04. Additional equipment was to be acquired and would be available to extinguish any fires. Based on my recent investigation, it does not appear that the measures taken to prevent or quickly extinguish fires were successful.

This case is being referred to the legal division of Ohio EPA for further action. Ohio EPA has the 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's legal division.

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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 black ink that reads "Lisa Duvall". The signature is written in a cursive style with a large initial "L".

Lisa Duvall  
Environmental Specialist II  
Division of Air Pollution Control

LD/cs