



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

December 11, 2012

Re: Muskingum County  
Open Burning

Mr. Jeff Ball  
Kessler Sign  
P.O. Box 785  
Zanesville, Ohio 43702

Dear Mr. Ball:

On November 28, 2012, while traveling on Interstate 70 near Zanesville, Ohio, I observed a large fire behind your facility. On December 6, 2012, I met with you at Kessler Sign to investigate the source of the fire. Behind your facility, inside a fenced area, there is a metal box trailer with a stack attached. Evidence of the burning of cardboard and wood pallets was observed. It appears that this burning has been going on for a long period of time since the trailer roof and sides were deteriorated from the heat of the fires. You told me that you were not aware that this type of burning was not allowed as it had been going on for some time. As I explained, a business cannot burn any type of waste for disposal purposes in Ohio

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. I am enclosing a copy of this rule for you. All open burning in violation of the requirements specified in OAC rule 3745-19-03 must stop immediately. If Kessler Sign continues to open burn improper waste materials at this location or any other location in Ohio, legal action may be taken against the company.

Please provide a written response, 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. 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,

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/cs  
Enclosure