



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

August 30, 2013

Re: Vinton County
Open Burning
Complaint 30002979

Certified: 70122920000138147120

Mr. Charles Vanhose
23017 State Route 93 South
Logan, Ohio 43138

Dear Mr. Vanhose:

I am writing this letter in response to a complaint from the Vinton County Health Department received by this office August 1, 2013. The report states that the Vinton County Health Department informed a resident at your home that the trash pile in the yard could not be burned. The resident told the representative of the health department that he "was going to burn the trash". The next morning the pile had been burned and was still smoldering.

On August 14, 2013, I investigated this complaint. Evidence of the open burning of wood, trash, plastics, household garbage, tires, clothing 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 in your door and a pamphlet that explains Ohio's open burning rules in the handle of the refrigerator on your porch.

Plastics, tires, demolition or construction waste materials, garbage, clothing, tar paper, shingles or any type of waste material that is hauled to a property from another location cannot be open burned in Ohio.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area (as your property is) and the burn site must be at least 1,000 feet from any inhabited building not on your property. Because there is not a burn site location on your property that is at least 1,000 feet from any inhabited building not on your property, you cannot open burn residential waste at this location.

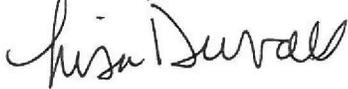
Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If you continue to open burn improper waste materials at this location or any other location in Ohio, legal action may be taken against you.

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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 3745-19-04, 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,

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
Division of Air Pollution Control

LD/cs

cc: The Vinton County Health Department