



September 13, 2013

Re: Pike County
Open Burning
Complaint 30003019

Certified: 70122920000138147199

Mr. Gary Roe
4034 Red Hollow Road
Beaver, Ohio 45613

Dear Mr. Roe:

I am writing this letter in response to a complaint received by this office August 23, 2013. The complaint alleges that you burn tires, oil and wastes from your logging operation at 4034 Red Hollow Road, Beaver, Ohio (Pike County).

On September 3, 2013, I investigated this complaint. Evidence of the open burning of wood scraps, limbs and wood slabs was observed. I did not see any evidence of the burning of tires or oil. As I explained at that time, wood wastes from the logging and/or lumber production cannot be open burned for waste disposal purposes in Ohio. We discussed the possibility of selling the waste wood for home heating or campfires.

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. I am enclosing a copy of this rule for you. 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 will 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 3745-19-04, 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,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs

Enclosure