

\*\*\* DRAFT – NOT FOR FILING \*\*\*

3745-19-06      **Open burning unilateral order.**

- (A) The director may assess and collect administrative penalties from any person who violates any of the rules in this chapter. ~~Through unilateral orders, the director may assess a violator not more than two hundred fifty~~ hundred fifty dollars per day for each separate violation of the rules in this chapter for open burning ~~of~~ on residential ~~property~~ waste and not more than one thousand dollars per day for each separate violation of the rules in this chapter for open burning of all wastes that are not residential waste. ~~on industrial, commercial, institutional, or municipal property. Commercial property includes construction sites, including, but not limited to, the construction of residential homes, if the sites are not properly permitted under section 3704.11(C) of the Revised Code.~~ A separate violation is assessed for each day (~~24~~ twenty-four hour period) the violation occurs.
- (B) The director's authority under paragraph (A) of this rule is in addition to, and not in limitation of, the director's authority under section 3704.06 of the Revised Code to request the attorney general to initiate legal action to seek penalties of not more than twenty-five thousand dollars for each day of each violation for the violation of rules in this chapter.