



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Rd.  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

Re: Crawford County  
Open Burning Complaint  
**Notice of Violation**

June 9, 2009

Certified Mail 7007 2560 0000 4485 6574

Mr. Bill Miller, Jr.  
5045 Crestline Road  
Bucyrus, Ohio 44820

Dear Mr. Miller:

On April 27, 2009, this office received a complaint concerning open burning of animal feces on your property. The complaint was investigated by me on May 12, 2009. During the investigation you admitted to burning rabbit manure. Be aware that burning manure is not allowed in the state of Ohio and no burning for disposal is allowed within 1,000 feet of any neighbor's home.

Based on my findings, there is sufficient evidence to determine that illegal open burning did occur and the complaint is justified. This is a violation of Ohio Administrative Code (OAC) Rule 3745-19-04(B)(3)(c): "Disposal of residential or agricultural waste generated on the premises if the following conditions are observed: The fire is located at a point on the premises no less than 1000 feet from any inhabited building not located on said premises." A copy of the OAC rules pertaining to open burning has been enclosed for your review.

Please submit a written response to Ohio EPA, Northwest District Office indicating your understanding of the regulations and your commitment that no future illegal open burning will occur. Your response should be received by this agency no later than June 23, 2009.

Please be advised that the submission of information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code Section 3704.06. The Ohio EPA will make a decision whether to pursue such penalties regarding this matter at a later date.

If you have any questions concerning this letter or the regulations, please contact me at (419) 373-3120 or via email at [joe.grob@epa.state.oh.us](mailto:joe.grob@epa.state.oh.us).

Sincerely,

Joseph L. Grob  
Environmental Specialist III  
Division of Air Pollution Control

/cs

Enclosure

pc: Lisa Holscher, U.S. EPA, Region V  
Tom Kalman, DAPC, CO  
Don Waitermeyer, DAPC, NWDO  
Tom Sattler, DAPC, NWDO  
Crawford County Health Department  
DAPC, NWDO File  
ec: Joe Grob, DAPC, NWDO

**OHIO ENVIRONMENTAL PROTECTION AGENCY  
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED
NWDO	Crawford	4/27/09	5-12-09
<u>TYPE</u>	<u>AIR</u>		<b>COMPLAINANT: (NAME, ADDRESS, PHONE #)</b> Rebecca Rice 5055 Crestline Rd Bucyrus, OH 44820 419-617-7172
TELEPHONE <u>X</u>	INDUSTRIAL <u>   </u>	HPF	<b>ANONYMOUS: <u>   </u> IF YES THIS BOX SHOULD BE LEFT BLANK</b>
VISIT <u>   </u>	PARTICULATE <u>   </u>		
LETTER <u>   </u>	ODOR <u>   </u>		
DCN <u>   </u>	FUGITIVE DUST <u>   </u>		
E-MAIL <u>   </u>	OPEN BURNING <u>X</u>		
OTHER <u>   </u>	OTHER		<b>SUSPECTED SOURCE OF EMISSIONS:(INCLUDING PREMISE #)</b> Bill Miller Jr. 5045 Crestline Rd Bucyrus, OH 44820
<b>SOURCE OPERATOR: (NAME, ADDRESS, PHONE #)</b>			

**STATEMENT OF COMPLAINANT:**  
Complainant claims that neighbor is burning animal feces and will not stop. Have asked him to stop but he continues. Yesterday they called the sheriff's department and they sent out the fire department to put it out. Husband is on oxygen 24 hours/day and smell is awful.

**STATEMENT OF SOURCE OPERATOR:** Admitted to burning a little rabbit manure. FD came out and put it out.

**FINDINGS: JUSTIFIED    X NOT JUSTIFIED     CANNOT BE DETERMINED**  
Neighborhood feud going on. Within 1000 ft.

**RECOMMENDATIONS:** NOV **DATE OF WRITTEN FOLLOW UP** 6-9-09

**CORRECTIVE ACTION AGREED TO BY SOURCE:**  
No OB for disposal.

**COMMENTS:**

**INVESTIGATOR(S):**     jg **DATE RESOLVED:** 6-9-09





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INVESTIGATOR(S):           ig          

DATE RESOLVED: 6-9-09

369

04-15-2009

Ohio EPA  
Northwest District Office  
347 North Dunbridge Rd.  
Bowling Green, Ohio 43402-9398

RECEIVED  
JUN 22 2009  
OHIO E.P.A.  
N.W.D.O.

Re: Crawford County  
Open Burning Complaint  
Notice of Violation  
Certified mail # 7007-2560-0000 - 4485-6574

Dear Sir or Madam:

I am submitting this letter to you informing you that Bill, Jenny, and Kourtney Miller understand the regulations for Open Burning. You have our commitment that there will be no future illegal open burning.

We do appauligize for the violation and promise this will not be an issue again. I guess we were not aware of just what we could not burn.

Thank you,  
A. L. Miller  
William Miller for Bill, Jenny, & Kourtney Miller.

Ohio Environmental Protection Agency  
Note to File

OEPA Staff: Tom Cikotte  
Date: 7.28.09  
Subject: Permission to enter property from property owner

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Notes & Summary:

In dealing with a complaint of Rebecca & Cliff Rice conducting open burning I spoke with property owner Ed Rowe. Mr. Rowe acknowledged a “feud” between the Rice family and the Miller family. I was given permission to enter either property and was asked to call Mr. Rowe’s cell phone at any time in the future to confirm this.

**Ed & Ladora Rowe**  
**3750 County Road 51**  
**Galion, OH 44833**  
**Home - 419.486.5783**  
**Cell – 419.834.0452**

**Rebecca & Cliff Rice**  
**5055 Crestline Rd**  
**Bucyrus, OH 44820**  
**419-617-7172**

**Bill Miller Jr.**  
**5045 Crestline Rd**  
**Bucyrus, OH 44820**  
**(419) 562-1562**