



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
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

September 3, 2008

CERTIFIED MAIL

Jeri Phillips
J&G Ranch
1681 Diebler Rd.
Bucyrus, Ohio 44820

Dear Ms. Phillips:

On September 2, 2008, this office observed open burning occurring on your property. Based on our observations, a large pile of horse manure was being burned in an unrestricted area. Illegal open burning did occur because the burning, regardless of ignition source, was allowed to continue to smolder, and the violation is justified. This is a violation of Ohio Administrative Code rule 3745-19-04(A).

A copy of the OAC rules pertaining to open burning has been enclosed. Please submit a written response to Ohio EPA indicating your understanding of the regulations and your commitment that illegal open burning will not occur in the future. Your response should be received by this agency no later than September 19, 2008.

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 call me at (419) 373-3137.

Sincerely,

Thomas C. Cikotte
Division of Air Pollution Control

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Enclosure

pc: Lisa Holscher, U.S. EPA Region V
Tom Kalman, DAPC - CO
Don Waltermeyer, DAPC - NWDO
Tom Sattler, DAPC - NWDO
Thomas C. Cikotte, DAPC - NWDO
7006 0100 0003 7708 6241

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**OHIO ENVIRONMENTAL PROTECTION AGENCY
COMPLAINT INVESTIGATION REPORT**

DISTRICT	COUNTY	DATE RECEIVED	DATE(S) INVESTIGATED
NWDO	Crawford	9/2/08	9.2.08 9-24-08
<u>TYPE</u>	<u>AIR</u>		COMPLAINANT: (NAME, ADDRESS, PHONE #) Thru Andy Hollinger / Crawford HD 419-562-5871 ANONYMOUS: <u>X</u> IF YES THIS BOX SHOULD BE LEFT BLANK
TELEPHONE <u>X</u>	INDUSTRIAL <u> </u>	HPF <u> </u>	SUSPECTED SOURCE OF EMISSIONS:(INCLUDING PREMISE #) SOURCE OPERATOR: (NAME, ADDRESS, PHONE #) Jeri Phillips 419-562-4040 1681 Diebler Rd. Bucyrus, Oh 44820
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 <u> </u>		
STATEMENT OF COMPLAINANT: Complainant states that “Jeri” from J&G Ranch is burning 7 years worth of horse manure and it has been burning for 6 weeks now. This is the second time that they have been burning the manure. Health Dept. ordered them to put it out but they have not done so. Complainant has to leave home to get away from it and it has made the whole family sick.			
STATEMENT OF SOURCE OPERATOR: See below.			
FINDINGS: JUSTIFIED <u> X</u> NOT JUSTIFIED <u> </u> CANNOT BE DETERMINED <u> </u>			
RECOMMENDATIONS: Because of statements made by DDGW, water should not be applied to the fire because of proximity to a drainage ditch. Heavy equipment should be used to extinguish the fire. NOV sent 9-3-08			
CORRECTIVE ACTION AGREED TO BY SOURCE: Will work with EPA to try to get equipment in to extinguish the fire.			
COMMENTS: The pile is approximately 100 ft wide and 200 ft long with vegetation growing on top of it, in some spots 10 feet high. The fire appears to be a result of spontaneous combustion but has been allowed to smolder for a while. Mr Foght, Ms. Phillips’ boyfriend said that one day he came out and a few areas were discolored, the day after that it was smoldering and has been ever since. Ms. Phillips was at work when I arrived, around 12:30. Mr. Foght said that the Crawford County HD (CCHD) had been out there and gave them until Monday to extinguish the fire. Because of the holiday weekend and people being out of town they have had a hard time tracking down a piece of equipment to use on the pile. He applies water daily with a garden hose but just as he thinks the fire is out a good breeze will pick the fire back up and make it smolder again. Mr Foght said that it just smolders and there haven’t really been any big flames. He said that if it wasn’t out by Friday that they had planned to rent a backhoe or a bulldozer to use to trample the fire or dig a hole and burry the hot spots. He doesn’t think that he would be able to do that until Friday morning (9.5.08), at the earliest, because he works 2 nd shift. He has been advised to extinguish the fire ASAP, or that Ohio EPA may call in county or private equipment to extinguish the fire, for which they would be billed.			
<u>9-23-08 NWDO got another call from Andy Hollinger saying that he had a call complaining about the pile burning again. On 9-24-08 jg inspected the pile with Ms Phillips and Mr. Fought. I saw one small wisp of smoke. (about what would come from a burning cigarette) Randy put a bucket of water on it and stirred it up. No problem. This call was not justified. Ms. Phillips requested a copy of my files. jg</u>			

INVESTIGATOR(S): Thomas C. Cikotte / jg

DATE RESOLVED: 9-24-08















