

7268

**HAMILTON COUNTY
ENVIRONMENTAL
SERVICES**

RE: Permission to open burn
Issuance Date: November 22, 2010
Permission No: 143135

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Harold Swiger
S. M. Stoller
10995 Hamilton-Cleves Hwy.
Harrison, OH 45030

Dear Mr. Swiger:

My staff have reviewed your application for permission to open burn, dated September 28, 2010.

In your application you requested permission to open burn for prairie management purposes at Fernald Preserve, **Visitor's Center area**, 7400 Willey Road, Crosby Township, Hamilton County. This is in a restricted area. Therefore, your request for permission to open burn is made pursuant to Ohio Administrative Code rule 3745-19-04(C)(5).

I find that your request is allowed under the Ohio Administrative Code rules governing open burning. I hereby grant you permission to open burn at the site under the attached conditions. You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04.

The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. Copies of the appeal must be served on the Director of the Ohio EPA and the Environmental Law Division of the Office of the Attorney General within three (3) days of filing with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street
Columbus, Ohio 43215



Mr. Harold Swiger
S. M. Stoller

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The special terms and conditions attached to this permission shall apply and be followed with care.

The burning shall take place on or during November 25 through December 30, 2010, between the hours of 7:00 AM and 4:30 PM.

Additional conditions:

1. The fires are to be set only when atmospheric conditions will readily dissipate contaminants.
2. The fires shall not create a visibility hazard on the roadways, railroad tracks, or air fields.
3. Fire fighting equipment shall be readily at hand and in proper working order prior to the initiation of the prescribed burning.
4. The fires must not create a public nuisance.
5. The local fire department must be notified as to when the fires are to be set.
6. Any wood with a diameter of six inches or greater must be removed from the area to be burned prior to the fire being set.
7. All prairie plots to be burned shall have at least a 10 foot firebreak around them prior to the burning.

Please read the following items carefully before burning:

Burning shall not occur when an air alert, warning, or emergency is in effect. Receipt of justified complaints may be grounds for modification or revocation of this permit.

Violations of any of the conditions of this permission shall be grounds for revocation of this permission and refusal to grant future permissions, as well as for the imposition of other sanctions provided by law.

This permission to open burn does not relieve you of the duty of complying with any applicable local ordinance or regulation. You should consult the local fire department or law enforcement authorities to determine whether the burning will violate any of these laws or regulations.

Sincerely,



Cory R. Chadwick, as agent for
Chris Korleski
Director, Ohio Environmental
Protection Agency