



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Southeast Regional Office • 820 W Sweet Street • Brownstown, IN 47220

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

June 25, 2024

VIA US POSTAL SERVICE

Smith's Tree Service
Attn: Virgie Smith
5364 N Terry Rd
Austin, Indiana 47201

Re: Open Burning Warning Letter
Austin, Scott County

Dear Smith's Tree Service:

On May 24, 2024, the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ), received a complaint alleging that open burning in violation of 326 IAC 4-1 has been conducted by you or Smith's Tree Service on your property located at 5364 N Terry Rd in Austin, Indiana. A copy of the open burning rule, 326 IAC 4-1, is enclosed.

Please be aware, 326 IAC 4-1 prohibits open burning with only a few exceptions. Specifically, the burning of material for disposal purposes, such as trash, rubbish, and garbage is not allowed under this rule. Additionally, 326 IAC 4-1(d)(12) states that no waste that is regularly generated as a result of a routine business operation shall be burned. This includes waste generated from tree trimming services. IDEM has not confirmed that a violation of the open burning rule has occurred at this time. However, if a violation is observed after the receipt of this letter, legal action may be pursued.

Please direct any questions to Jeremiah Hunt, Office of Air Quality Compliance Inspector, at 812-582-0011 or by email at jvhunt@idem.IN.gov. Thank you for your attention to this matter.

Sincerely,

Mark A. Amick, Director
Southeast Regional Office

ACES ID: 298579
ACES WL ID: 298588
RM ID: 112603

ENCLOSURE

326 IAC 4-1 Indiana Open Burning Regulations
IDEM Business Open Burning Postcard

cc: Scott County County Health Department (tim.brunner@scottcounty.in.gov)
Jeremiah Hunt, Office of Air Quality