

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
FIELD INSPECTION REPORT**



SOURCE INFORMATION	
<u>SOURCE NAME</u>	Dave's Landscaping and Lawn Care
<u>SOURCE LOCATION</u>	7485 Clay St. Merrillville, In 46410 Lake County
<u>MAILING ADDRESS</u>	7485 Clay St. Merrillville, In 46410
<u>PLANT ID</u>	N/A
<u>PERMIT INFORMATION</u>	Permit Type: N/A Permit Number: N/A Permit Expiration Date: N/A VFC Document No.(hyperlink): N/A
<u>ATTAINMENT STATUS</u>	<input type="checkbox"/> Attainment for all criteria pollutants <input checked="" type="checkbox"/> Nonattainment for <input type="checkbox"/> SO <sub>2</sub> <input type="checkbox"/> CO <input checked="" type="checkbox"/> O <sub>3</sub> <input type="checkbox"/> NO <sub>2</sub> <input type="checkbox"/> Pb <input type="checkbox"/> PM <sub>10</sub> <input type="checkbox"/> PM <sub>2.5</sub>
<u>SOURCE STATUS</u>	<input type="checkbox"/> PSD Major (326 IAC 2-2) <input type="checkbox"/> Major Source of HAPs <input type="checkbox"/> Emission Offset (326 IAC 2-3) <input type="checkbox"/> Area Source of HAPs <input type="checkbox"/> Acid Rain (326 IAC 21)
<u>SOURCE DESCRIPTION</u>	The source is a landscaping and lawn mowing service, located in Lake County, Indiana

INSPECTION INFORMATION			
<u>INSPECTED BY</u>	Kevin Davis		
<u>INSPECTION DATE AND TIME</u>	12/8/20	TIME IN: 11:30am	TIME OUT: 12:10pm
<u>REPORTED BY</u>	Kevin Davis 12/14/20	REPORT DATE: 12/9/20	
<u>COMPLIANCE PERIOD REVIEWED</u>	12/8/20		
<u>INSPECTION NOTIFICATION</u>	<input checked="" type="checkbox"/> Unannounced <input type="checkbox"/> Announced:		
<u>INSPECTION OBJECTIVE(S)</u>	<input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Surveillance <input type="checkbox"/> Other:		
<u>ACES TRACKING NUMBER(S)</u>	Inspection: 253054	Complaint: 253053	Violation/Warning: 253118
<u>RM TRACKING NUMBER(S)</u>	Complaint: 94390		
<u>INSPECTION BACKGROUND</u>	Open Burning Complaint on November 28, 2018. Warning Letter issued on November 30, 2018 Open Burning Complaint on July 26, 2017. Warning Letter issued on August 8, 2017.		

SOURCE PERSONNEL INTERVIEWED			
<u>Name</u>	<u>Title</u>	<u>Phone Number</u>	<u>Email Address</u>
David Birchall	Owner		

INSPECTION AND COMPLAINT HISTORY (PREVIOUS 5 YEARS)			
<u>Date</u>	<u>Inspection/Complaint Type</u>	<u>Result</u>	<u>Comments</u>
11/28/18	Open Burning Complaint	Warning	Warning letter issued on 11/30/18
7/26/17	Open Burning Complaint	Warning	Warning letter issued on 8/8/17

### **INSPECTION OBSERVATIONS AND COMMENTS**

On December 7, 2020, the Indiana Department of Environmental Management (IDEM) Northwest Regional Office (NWRO) received a complaint about open burning occurring at Dave's Landscaping Lawn Care. The complainant states that there was burning of vegetation and debris. The complainant states that he has issued complaints against the source before.

On December 8, 2020 at approximately 11:30am, I arrived at the location of Dave's Landscaping and Lawn Care, where open burning was allegedly occurring. When I arrived, I knocked on the door of the residence. The person answering the door informed me that Mr. David Birchall (Owner) was not at home. The person gave Mr. Birchall a call and he said that he would be back home shortly. Mr. Birchall arrived back at his residence at approximately 11:50am. I told him of the nature of my visit, and he gave me a tour of the facility. I observed a pile of tree limbs and leaves at the rear of the property. I did not observe open burning occurring at time of the inspection, but there was visual evidence that previous piles of vegetation were burned. Mr. Birchall informed me that the city (Merrillville) told him he could burn tree limbs and leaves if the wind was not too strong. I explained to him that the information given to him was incorrect. I then gave him an opening burning post card and explained to him the open burning rules for Lake County. I thanked Mr. Birchall for his time and exited the property at approximately 12:10pm. On 12/9/20 at approximately 10:20am I contacted the complainant and informed him of my findings and to please contact me if he has any issues in the future.

Conclusions: Based on my observations and discussion with Mr. Birchall, I determined that Open Burning previously occurred on the property, in violation of 326 IAC 4-1.

Comments: I informed Mr. Birchall of the two (2) previous open burning warning letters issued in the past and he informed me that he never received them, and he was unaware of the open burning rules. I happened to have a copy of the last open burning warning letter issued on November 30, 2018. It was observed that the letter had the wrong mailing address. The letter had 7458 Clay St. instead of the correct address of 7485 Clay St.

Recommendations: I recommend sending a violation letter to the source.

### **INSPECTION FINDINGS**

☐ No violations were observed or determined at the time of the inspection.

☒ The following violations were determined at the time of the inspection:

<i>Condition/Citation</i>	<i>Description of Violation(s)</i>
326 IAC 4-1	Open Burning

**RECOMMENDED ACTION** Issue inspection summary/violation letter.

**EXIT INTERVIEW** I informed Mr. Birchall of my findings, thanked him for his time and left the facility at approximately 12:10pm



# Indiana Department of Environmental Management

## RM Record

### Description

Incident # 94390

**Received By:** Ream, Nicholas

**Received Date:** 12/07/2020 3:38 pm

**Receipt Method:** Telephone

**Incident Description:** A Mr. Ron Pedersen, 219-746-9775, called to allege Dave's Landscaping, located at 7485 Clay Street in Merrillville, is burning vegetation and debris. He added he has issued complaints against the landscape company before. Burning was observed this weekend.

**Incident Type:** Complaint-Air Open Burning

**Occurred Date/Time:** 12/07/2020 12:00 am

**End Date:** 12/07/2020 12:00 am

**Regulatory Program:** Air

**Follow-Up Status:** Closed

**Incident Priority:** 2-Medium

**Incident Status:** Closed

**Closure Method:** No Violations Determined

**Lead Investigator:** Davis, Kevin

**Resolution Desc:** On December 7, 2020, the Indiana Department of Environmental Management (IDEM) Northwest Regional Office (NWRO) received a complaint about open burning occurring at Dave's Landscaping Lawn Care. The complainant states that there was burning of vegetation and debris. The complainant states that he has issued complaints against the source before.

On December 8, 2020 at approximately 11:30am, I arrived at the location of Dave's Landscaping and Lawn Care, where open burning was allegedly occurring. When I arrived, I knocked on the door of the residence. The person answering the door informed me that Mr. David Birchall (Owner) was not at home. The person gave Mr. Birchall a call and he said that he would be back home shortly. Mr. Birchall arrived back at his residence at approximately 11:50pm. I told him of the nature of my visit, and he gave me a tour of the facility. I did observe a pile of tree limbs and leaves at the rear of the property. He informed me that the city (Merrillville) told him he could burn tree limbs and leaves if the wind was not too strong. I explained to him that the information given to him was incorrect. I then gave him an opening burning post card and explained to him the open burning rules for Lake County. There was no open burning occurring at the time of the inspection. I thanked Mr. Birchall for his time and exited the property at approximately 12:10pm. On 12/9/20 at approximately 10:20am I contacted the complainant and informed him of my findings and to please contact me if he has any issues in the future.

Conclusions: No violations were observed during the investigation.



# Indiana Department of Environmental Management

## RM Record

### Location

**Location Description:** 7485 Clay St  
Merrillville, IN 46410

**Region Code:** Northwest Regional Office

**County:** Lake

**Municipality:** Merrillville

### Source Entity

**Source Type:** Non-Agency Interest

**Source Entity Name:** Dave's Landscaping

**Address 1:** 7485 Clay St

**Municipality:** Merrillville

**County:** Lake

**State:** IN

**Zip Code:** 46410

### Reporter

**Reporter Type:** Private Citizen

**Name:** Ron Pederson

**State:** IN

**Reporter Requested:** Yes

**Reporter Updated:** Yes

**Telecom:** Cellular phone number 1                      219-746-9775

### Actions

Task	Staff Assigned	Start Date	Due Date	Completed Date	Hours Spent
Enter Initial Complaint Into	Frownfelter, Karla	12/07/2020		12/07/2020	
Provide Acknowledgement	Ream, Nicholas	12/07/2020		12/07/2020	
Date Initial Response	Davis, Kevin	12/08/2020		12/08/2020	



## Indiana Department of Environmental Management RM Record

### Actions

Task	Staff Assigned	Start Date	Due Date	Completed Date	Hours Spent
Investigate Complaint	Davis, Kevin	12/08/2020		12/08/2020	
Update & Close Complaint in	Davis, Kevin	12/09/2020		12/09/2020	