



December 26, 2017

Troy Sedore - President  
Sedore Inc.  
dba Sedore Sanitation  
28942 Highway 16  
Stockport, IA 52651

NOTICE OF VIOLATION: Open Burning 567 IAC 23.2

Re: Open Burning Complaint Investigation  
Complaint No. 25055

Dear Mr. Sedore:

Iowa DNR Field Office #6 received five complaints between December 16, 2017 and December 18, 2017, regarding a fire at the above-listed property on the evening of December 15, 2017. The complainants stated that a large fire was emitting black smoke that smelled like burnt plastic/petroleum.

On December 18, 2017, I called you to discuss the alleged fire. During our phone conversation, you indicated that your kids requested to have a bonfire, so you set aside a pile of 2x4's, logs and brush to be burned for their bonfire. You also indicated that you were not present during the bonfire. One of the complainants submitted photos and video of the fire. Neither the photos nor the video clearly show exactly what is burning, other than a large fire emitting smoke at the former transfer station building.

On December 20, 2017, the Stockport Fire Department sent Iowa DNR Field Office #6 their report from the evening they responded to the aforementioned fire. Their report indicates that the smoke was "way too black for just lumber scraps" and that upon questioning the teens onsite "they informed me nervously that there were shingles and other things in the fire besides lumber."

Based on statements made in the fire department's report as well as statements made by your children, it appears as though you as the property owner/responsible official, have failed to comply with Consent Decree No. EQEQ026163 filed September 20, 2017 in Van Buren County Court, which states, in part, (#8) "Sedore Inc. and Troy Sedore shall permanently cease any and all illegal disposal of solid waste" and (#9) "Sedore Inc. and Troy Sedore shall cease the burning of solid waste."

This matter has been turned over to the Iowa Attorney General's Office, is subject to court order and additional enforcement will follow.

Open Burning Regulations:

567 Iowa Administrative Code 23.2 states, "No person shall allow, cause or permit open burning of combustible materials except as provided in subrules 567 IAC 23.2(2) and 567 IAC 23.2(3)." Exemptions listed in subrule 567 IAC 23.2(3) include landscape waste produced in clearing, grubbing and construction operations, training fires, agricultural structures, residential waste, recreation, cooking and heating fires. It is not permissible to burn trade waste or asphalt shingles.

Sedore Sanitation

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At this time, Iowa DNR Field Office #6 is planning an onsite inspection to determine compliance with the above referenced court order, for **January 3, 2018**.

If you have any questions or would like further explanation of any part of this letter, please contact David Steward at 515-281-7242 or me at 319-653-2135.

Sincerely,

Field Services and Compliance Bureau

A handwritten signature in black ink, appearing to read "Kurt Levetzow". The signature is fluid and cursive, with a large loop at the end.

Kurt Levetzow  
Environmental Specialist Senior

Encl: fire department's report

N:klevetz\AQ\OB\2017\Sedore Sanitation NOV 12-2017.doc

cc: David Steward - Attorney General's Office (via email)  
Stockport Fire Department (via email)  
Sedore Sanitation closed SDP file

**A** FDID: 89009 State: IA Incident Date: MM 12 DD 15 YYYY 2017 Station: 1 Incident Number: 121517 Exposure: 0 **NFIRS-1 Basic**

**B Location Type**  
 Street address  
 Check this box to indicate that the address for this incident is provided on the Wildland Fire Module in Section 9, "Alternative Location Specification." Use only for wildland fires.  
 Census Tract: \_\_\_\_\_  
 Intersection: 28942 HWY  
 Number/Milepost: 16 Prefix: \_\_\_\_\_ Street Type: \_\_\_\_\_ Suffix: \_\_\_\_\_  
 In front of: \_\_\_\_\_  
 Rear of: \_\_\_\_\_ State: IA Zip Code: 52651  
 Adjacent to: Apt/State/Room: \_\_\_\_\_ City: Stockport  
 Directions: \_\_\_\_\_  
 US National Grid: \_\_\_\_\_  
 Cross Street, Directions or National Grid, as applicable

**C Incident Type** 151 Outside rubbish, trash or waste fire  
**D Aid Given or Received**  
 1 Mutual aid received  
 2 Automatic aid received  
 3 Mutual aid given  
 4 Automatic aid given  
 5 Other aid given  
 N  None  
**E1 Dates and Times**  
 Alarm: 12/15/2017 19:15:00  
 Arrival: 12/15/2017 19:22:00  
 Controlled: 12/15/2017 19:37:00  
 Last Unit Cleared: 12/15/2017 19:45:00  
**E2 Shifts and Alarms**  
 Local Option: \_\_\_\_\_  
 Shift or Rotation: \_\_\_\_\_ Alarms: \_\_\_\_\_ District: \_\_\_\_\_  
**E3 Special Studies**  
 Local Option: \_\_\_\_\_  
 Special Study ID#: \_\_\_\_\_ Special Study Value: \_\_\_\_\_

**F Actions Taken**  
 54 Determine if materials are non-hazardous  
 41 Identify, analyze hazardous materials  
**G1 Resources**  
 Apparatus: 3 Personnel: 8  
 EMS: 0 Other: 4  
**G2 Estimated Dollar Losses and Values**  
 Property \$: 0  
 Contents \$: 0  
 PRE-INCIDENT VALUE: Property \$: \_\_\_\_\_ Contents \$: \_\_\_\_\_

**Completed Modules**  
 Fire-2  
 Structure Fire-3  
 Civilian Fire Cas.-4  
 Fire Service Cas.-5  
 EMS-6  
 HazMat-7  
 WildLand Fire-8  
 Apparatus-9  
 Personnel-10  
 Arson-11  
**H1 Casualties**  
 Death: 0 Injury: 0  
 Fire Service: 0 Civilian: 0  
**H2 Detector**  
 1 Detector alerted occupants  
 2 Detector did not alert occupants  
 U Unknown  
**H3 Hazardous Materials Release**  
 0 Other (Special HazMat actions required or spill >= 55 gal.)  
 1 Natural gas; slow leak, no evap. or HazMat actions  
 2 Propane gas - Less than a 21 lb. tank  
 3 Gasoline - vehicle fuel tank or portable container  
 4 Kerosene - fuel-burning equipment/portable storage  
 5 Diesel fuel/fuel oil - vehicle fuel tank/portable  
 6 Household/office solvent or chemical spill  
 7 Motor oil - from engine or portable container  
 8 Paint - spills less than 55 gallons  
 N None  
**Mixed Use Property**  
 00 Mixed use, other  
 10 Assembly use  
 20 Educational use  
 33 Medical use  
 40 Residential use  
 51 Row of stores  
 53 Enclosed mall  
 68 Business and residential use  
 59 Office use  
 60 Industrial use  
 63 Military use  
 65 Farm use  
 NN Not mixed use

J Property Use Structures		341 Clinic, clinic-type infirmary		539 Household goods, sales, repairs	
131 Church, mosque, synagogue, temple, chapel	342 Doctor, dentist or oral surgeon office	571 Service station, gas station	579 Motor vehicle or boat sales, services, repair	599 Business office	616 Electric-generating plant
161 Restaurant or cafeteria	361 Jail, prison (not juvenile)	629 Laboratory or science laboratory	700 Manufacturing, processing	819 Livestock, poultry storage	882 Parking garage, general vehicle
162 Bar or nightclub	419 1 or 2 family dwelling	891 Warehouse	891 Warehouse		
213 Elementary school, including kindergarten	429 Multifamily dwelling				
215 High school/junior high school/middle school	439 Boarding/rooming house, residential hotels				
241 Adult education center, college classroom	449 Hotel/motel, commercial				
311 24-hour care Nursing homes, 4 or more persons	459 Residential board and care				
331 Hospital - medical or psychiatric	464 Barracks, dormitory				
	519 Food and beverage sales, grocery store				
	936 Vacant lot	981 Construction site			
<b>Outside</b>	938 Graded and cared-for plots of land	984 Industrial plant yard - area			
124 Playground	946 Lake, river, stream				
655 Crops or orchard	951 Railroad right-of-way				
669 Forest, timberland, woodland	960 Street, other				
807 Outside material storage area	961 Highway or divided highway				
919 Dump, sanitary landfill	962 Residential street, road or residential driveway				
931 Open land or field					

Look up and enter a Property Use code and description only if you have NOT checked a Property Use Box.

Property Use Code: **648**

Sanitation utility Property Use Description

**K1 Person/Entity Involved**

Local Option

Check this box if same address as incident location (Section B). Then skip the three duplicate address lines.

Business Name (if Applicable): \_\_\_\_\_ Area Code: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Mr., Ms., Mrs. First Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_

Number: \_\_\_\_\_ Prefix: \_\_\_\_\_ Street or Highway: \_\_\_\_\_ Street Type: \_\_\_\_\_ Suffix: \_\_\_\_\_

Post Office Box: \_\_\_\_\_ Apt./Suite/Room: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**K2 Owner**

Same as person involved? Then check this box and skip the rest of this block.

Local Option

Check this box if same address as incident location (Section B). Then skip the three duplicate address lines.

Business Name (if Applicable): **Sedore Inc.** Area Code: **319** Phone Number: **796 4499**

Mr., Ms., Mrs. First Name: **Troy** MI: \_\_\_\_\_ Last Name: **Sedore** Suffix: \_\_\_\_\_

Number: **28942** Prefix: \_\_\_\_\_ Street or Highway: **16 HWY** Street Type: \_\_\_\_\_ Suffix: \_\_\_\_\_

Post Office Box: \_\_\_\_\_ Apt./Suite/Room: \_\_\_\_\_ City: **Stockport**

State: **IA** Zip Code: **52651**

**M Authorization**

Officer in charge ID: <b>Nelson1</b>	Signature: <b>Frank Nelson</b>	Position or rank: <b>Chief</b>	Assignment: <b>Main</b>	Month: <b>12</b>	Day: <b>19</b>	Year: <b>2017</b>
Member Making report ID: <b>Harlan1</b>	Signature: <b>Max Harlan</b>	Position or rank: <b>Captain</b>	Assignment: <b>Main</b>	Month: <b>12</b>	Day: <b>19</b>	Year: <b>2017</b>

**L Remarks**

Local Option

Paged to fire at Sedore Sanitation 28942 Hwy. 16 Stockport, Iowa:

Arrived on scene to find three teenage minors onsite with a large fire to SouthWest Corner of property. Teens stated at this time I could leave as they had permission for the fire and that their dad said it was alright. I (Max Harlan) informed them that we had been paged to the location from a concerned by passer and that the fire was too large to be safe as a bonfire and recommended that we extinguish. As I was speaking with them I noticed there were debris/items in the fire pile other than wood and that the smoke was way too black for just lumber scraps.

I then further questioned the teens what was in the fire? They informed me nervously that their were shingles and other things in the fire besides lumber. I stated at that time we would need to extinguish the fire due to safety issues and hazardous materials that were being burnt. Our Fire Chief Frank Nelson then came over to me and instructed me to have a crew extinguish the fire. I proceeded to brief extinguish crew and we deployed a hose line. Just as we got ready to apply water and foam Frank asked me to wait. I then noticed that he was on a cell phone. Frank finished his conversation and instructed me to give the order to pack it up and that we were leaving the scene as the land owner had called and stated that we were not going to put out his kids fire and that if we did, we were all going to pay and Troy's final statement to Frank was that we all were trespassing and that if we didn't leave immediately he was calling the Sheriffs department and we were all going to be charged with Trespassing. We packed everything up at this time and let dispatch know (VBC Sheriffs office) that the fire was out of control but we were ordered off the property. We also informed dispatch with us not being able to be on the property that we would not be able to provide fire protection for this location/address at this time.