

REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

117 South Main Street, Dayton, Ohio 45422-3280

937-225-4435 — Fax: 937-225-3486

www.rapca.org

February 15, 2012

Certified Mail

Mr. Gary Korte, Owner

T.U.N.S.

179 High St.

Covington, OH 45318

WARNING LETTER

Dear Mr. Korte:

On February 1, 2012, the Regional Air Pollution Control Agency (RAPCA) was contacted concerning a citizen complaint regarding smoke and odors from the wood burning furnace at T.U.N.S., 179 High St., Covington, OH. The complainant stated that “bad fumes” originated from this property and had concerns about the health effects from the smoke and odor from the wood burning furnace operated by T.U.N.S. RAPCA has also received smoke and odor complaints on January 11, 2002, January 9, 2004, and January 11, 2011.

As a result of this complaint, RAPCA performed an inspection at your property on February 9, 2012, and documented plastic material inside of the wood burning stove. The burning of plastic material in a wood burning stove for waste disposal is strictly prohibited, and could lead RAPCA to find that you are operating an incinerator in violation of the following rules:

- 1) Ohio Administrative Code 3745-17-09, **Restrictions on particulate emissions and odors from incinerators.**
- 2) Ohio Administrative Code 3745-17-07, **Control of visible particulate emissions from stationary sources.**

The burning of material that is not clean, dry wood, may also require you to obtain an air pollution control permit as required by Ohio Administrative Code (OAC) Chapter 3745-31.

In addition OAC 3745-15-07 states, in part, “that the emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes,

gases, vapors, odors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property, is hereby found and declared to be a public nuisance. It shall be unlawful for any person to cause, permit or maintain any such public nuisance.” The burning of material other than clean, dry, wood, could trigger the nuisance rule outlined above, and could have adverse health impacts on neighboring residences.

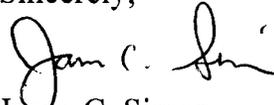
The wood furnace operated by TUNS is a Wood Master, model MF 658, 6500. According to Northwest Manufacturing, who is the supplier for Wood Master, the **max** Btu/hr of this model is 750,000. Per OAC 3745-31-03 (A)(1)(b), wood-fired boilers, air heaters, or water heaters less than one million Btu/hr are exempt from obtaining a Permit to Install and Operate (PTIO). Furthermore, the opacity standards contained in OAC 3745-17-07 do not apply due to the exemption under 3745-17-07 (A)(3)(h). These rule exemptions only apply if the unit is fueled by clean, dry, seasoned wood as recommended by the manufacturer.

This letter serves as an official warning from the Regional Air Pollution Control Agency to cease operation that would be in violation of both state and local air pollution control regulations.

In the future, alternative means of disposal for material other than clean, dry, seasoned wood must be employed. Any future burning of materials other than clean, dry, seasoned firewood in the wood stove operated by T.U.N.S. may result in enforcement action against you, which may include civil and/or criminal penalties.

If you have any questions regarding this matter, you may contact me at 937-496-6751.

Sincerely,



Jason C. Simon
Air Pollution Control Specialist
Abatement Unit

CC: Covington Fire Department
Covington Police Department
Miami County Health Department

MCM