



## REGIONAL AIR POLLUTION CONTROL AGENCY

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

117 South Main Street, Dayton, Ohio 45422-1280

937-225-4435 — Fax: 937-225-3486

www.rapca.org

March 27, 2007

**Certified Mail**

William Muterspaw Jr.  
3477 Shakertown Rd  
Beavercreek, OH 45430

**WARNING LETTER**

Dear Mr. Muterspaw:

On March 20, 2007, the Regional Air Pollution Control Agency (RAPCA), received a complaint regarding illegal open burning at 3477 Shakertown Road, Beavercreek, Ohio. An investigation was performed on March 26, 2007. During that investigation I met with you and you stated that you burned paper in a burn barrel. The burn barrel was located in the rear of the property and was within 1000 feet of the nearest neighboring inhabited residence. When asked if an inspection of the burn barrel could be performed, you denied me access to the property.

Pursuant to Ohio Administrative Code (OAC) rule and the Greene County Board of Health Air Pollution Control Regulations (GCBHAPCR) 3745-19-03, Open burning in restricted areas, open burning of residential and yard waste for waste disposal purposes is prohibited. The property at 3477 Shakertown Road is located in a restricted area. Therefore, the open burning of paper which you stated you performed is a violation of this OAC and GCBHAPCR rule 3745-19-03.

The open burning rules for restricted areas do, however, permit cooking and recreational fires. Such fires are required to be fueled with clean seasoned firewood, may not be used for waste disposal purposes, and must have a total fuel area of three feet or less in diameter and two feet or less in height. A recreational fire fueled with material other than clean seasoned firewood is a violation of the open burning regulations.

This letter serves as notification to you of the above mentioned violations. **Any further actions in violation of the above mentioned rules may result in an enforcement action with civil and/or criminal penalties.** If you have any questions, please contact me at 937-225-4004.

Sincerely,

Eileen C. Moran  
Air Pollution Control Specialist

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William Muterspaw Jr.  
 3477 Shakertown Road  
 Beavercreek, OH 45430

2. Article Number  
 (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Address  
*W. Muterspaw*

B. Received by (Printed Name)  Date of Delivery  
*W. MUTERSPAW* *3/2/07*

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchand  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7004 1160 0000 6164 8657

