



## 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

June 13, 2007

**Certified Mail**

Kent Darding  
142 Outerview Drive  
Xenia, OH 45385

**WARNING LETTER**

Dear Mr. Darding:

On June 8, 2007, the Regional Air Pollution Control Agency (RAPCA) received a complaint from the Xenia Township Fire Department concerning recent open burning incidents that occurred at 400 Clifton Road in Xenia Township, Ohio. RAPCA attempted to performed an inspection of the premises on June 11, 2007, but the property was gated and locked. The Xenia Township Fire Department sent RAPCA a report on June 12, 2007, stating that large bales of old hay and/or straw, that had gotten wet, were being burned at this location. Xenia Township Fire Department extinguished the burning hay and/or straw bales on June 4, 2007 and June 7, 2007. The report stated that the burn site was located within 1,000 feet of neighboring residences. Records indicate that you are the property owner of that address and the responsible party for the open burning.

Pursuant to Ohio Administrative Code (OAC) rule and Greene County Board of Health Air Pollution Control Regulations (GCBHAPCR) section 3745-19-04, **Open Burning in Unrestricted Areas**, open burning for agricultural waste disposal may take place provided that the burn site is located at a point on the premises no less than 1,000 feet from any inhabited building not located on said premises. In addition, the wastes must be stacked and dried to provide the best practicable condition for efficient burning.

The open burning that occurred, due to the fact that the burn site was located within one thousand feet of neighboring residences and contained materials not conducive to efficient burning, is a violation of OAC rule and GCBHAPCR section 3745-19-04. This letter serves as a warning from RAPCA to cease all open burning activities in violation of state and local air regulations. Any further violations of these regulations may result in enforcement actions against you, which include criminal and/or civil penalties.

If you have any questions regarding the open burning regulations, feel free to contact me at 937-225-5923.

Sincerely,

*Brandie K. Lehman*

Brandie K. Lehman  
Air Pollution Control Specialist

cc: Assistant Chief Doug Cope, Xenia Township Fire Department



**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:

Kent Darding  
 142 Outerview Drive  
 Xenia , OH 45385

2. Article Number

*(Transfer from service label)***COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x *Kent Darding* Agent Addressee

B. Received by (Printed Name)

*Kent Darding*

C. Date of Delivery

*6-15-07*D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

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