



## 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

October 17, 2008

Certified Mail

Betty L. Kelly  
117 W Parkwood Ave  
Fairborn, OH 45324

Dear Ms. Kelly:

### WARNING LETTER

On October 14, 2008, the Regional Air Pollution Control Agency (RAPCA) received a complaint from the Greene County Combined Health District (GCCHD) that trash and wood were being burned for waste disposal purposes at 228 West Xenia Avenue in Cedarville Village, Greene County, Ohio. RAPCA performed an inspection of this property on October 17, 2008 and observed a burn pit, approximately 6'X4'X2' in size, constructed out of cinder blocks and sheet metal. This burn site appeared to be used for waste disposal purposes and was located in a restricted area, within 1,000 feet of neighboring residences. Records indicate that you are the owner of this property and, therefore, the responsible party for the open burning that has occurred.

Pursuant to Ohio Administrative Code (OAC) rule and Greene County Board of Health Air Pollution Control Regulations (GCBHAPCR) section 3745-19-03, Open Burning in Restricted Areas, open burning for residential waste disposal purposes is prohibited within the boundaries of any municipal corporation, such as Cedarville Village. This includes all residential waste materials such as paper, leaves, weeds, grass, brush and especially garbage. Furthermore, open burning for waste disposal purposes is prohibited within 1,000 feet of neighboring residences, anywhere in the state of Ohio.

The open burning that has occurred, due to the fact that this burn site was located in a restricted area and within 1,000 feet of neighboring residences, is a violation of OAC rule and GCBHAPCR section 3745-19-03. This letter serves as official notification 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  
Air Pollution Control Specialist

Cc: Jackie Gruza, GCCHD

**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:

Betty L. Kelly  
 117 W. Parkwood Avenue  
 Fairborn, OH 45324

2. Article Number

(Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*X Jim Kelly*  Agent  
 Addressee

B. Received by (Printed Name)

*Jim Kelly* C. Date of Delivery  
*10-18-02*

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

OCT 18 2002

3. Service Type

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

4. Restricted Delivery? (Extra Fee)  Yes

7007 1490 0004 7509 9255

