



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 5, 2009

Certified Mail

Paul F. Hershner
2804 Shakertown Rd.
Beavercreek, OH 45434

Dear Mr. Hershner:

WARNING LETTER

On February 10, 2009, a representative of the Regional Air Pollution Control Agency (RAPCA) observed open burning occurring at 2804 Shakertown Road in Beavercreek, Ohio. On March 4, 2009, RAPCA performed an inspection of this property and observed two burn sites, approximately ten feet in diameter at the rear of this property. These burn sites contained miscellaneous waste materials, were located in a restricted area, and were located within 1,000 feet of neighboring residences and within 500 feet of US Route 35. Records indicated that you are an owner of this property, and therefore, a responsible party for the open burning which 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 in any area within the boundary of any municipal corporation, such as Beavercreek City, plus a zone extending one mile beyond any such municipality with a population of ten thousand persons or more. In addition, open burning for waste disposal purposes is prohibited within 1,000 feet of neighboring residences, anywhere in the state of Ohio, and cannot create a visibility hazard on the roadways, railroad tracks, or air fields.

The open burning which has occurred, due to the fact that the burn sites were 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

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:

PAUL F HERSHNER
2804 SHAKERTOWN RD
BEAVERCREEK, OH 45434

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee) Yes

PS Form 3811, February 2004

Domestic Return Receipt

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102595-02-M-1540