



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 6, 2009

Certified Mail

Robin Shelby & Mike Lynch
3792 Wilberforce Clifton Road
Cedarville, OH 45314

Dear Ms. Shelby & Mr. Lynch:

WARNING LETTER

On March 3, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint of garbage being burned on the weekends at 3792 Wilberforce Clifton Road in Miami Township, Greene County, Ohio. On March 4, 2009, RAPCA performed an on-site inspection of this property and observed a large pile of garbage, animal waste, animal bedding, and plastic bags on this property, with evidence of past burns. RAPCA also observed a burn barrel containing the burned remains of animal bedding and garbage. These burn sites were located 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 which has occurred.

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 the purpose of residential or agricultural waste disposal is prohibited within 1,000 feet of any neighboring residence. **In addition, items that can never be burned, anywhere in the state of Ohio, include garbage, animal waste, and items that contain rubber, grease, asphalt or that are made from liquid petroleum products, like plastics.**

The open burning which has occurred is a violation of OAC rule and GCBHAPCR section 3745-19-04, due to the fact that the burn sites were located within 1,000 feet of neighboring residences and contained garbage, animal waste, and plastics. This letter serves as official notification from RAPCA to cease all open burning activities in violation of state and local air regulations. **RAPCA requires that any remaining waste on this property be disposed of in a manner which is in compliance with all air and solid waste regulations.** Any further violations of the air regulations will result in further enforcement actions against you, which include possible 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



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March 30, 2009

Robin Shelby & Mike Lynch
3792 Wilberforce Clifton Rd
Cedarville, OH 45314

RE: Open Burning Warning Letter dated March 6, 2009

Dear Ms. Shelby & Mr. Lynch:

The Regional Air Pollution Control Agency (RAPCA) issued a warning letter on March 6, 2009, to your attention, for open burning violations that occurred on your property at 3792 Wilberforce Clifton Road in Miami Township, Greene County, Ohio. This letter was sent via certified mail on March 6, 2009 and was returned to RAPCA, unclaimed, on March 30, 2009.

The above referenced warning letter is attached. RAPCA believes the open burning violations discussed in the March 6, 2009 warning letter to be a serious matter and requires that upon receipt of this letter and the attached warning letter, all open burning activities in violation of the state and local air regulations cease.

RAPCA appreciates your cooperation. If you have any questions regarding this matter, feel free to contact me at (937) 225-5923.

Sincerely,

Brandie K. Lehman
Air Pollution Control Specialist

Enclosure

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**REGIONAL AIR POLLUTION
CONTROL AGENCY**
117 South Main Street
Dayton, Ohio 45422-1280

RECEIVED

MAR 30 2009

REGIONAL AIR
POLLUTION CONTROL

1ST NOTICE
2ND NOTICE
RETURNED
3-16-09

MAR 25

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45422@1280

CERTIFIED MAIL™



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UNITED STATES POSTAGE



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MAILED FROM ZIP CODE 45402

Robin Shelby & Mike Lynch
3792 Wilberforce Clifton Road
Cedarville, OH 45314

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RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 45422@1280

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