



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

May 29, 2009

Certified Mail

Steven & Debra Moore
1297 Dayton Yellow Springs Rd
Xenia, OH 45385

Dear Mr. & Mrs. Moore:

WARNING LETTER

On May 28, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint that open burning of trash, including wood, metal and insulation had taken place on a parcel of property adjacent to 1297 Dayton Yellow Springs Road (Parcel ID A01-0002-0025-0-0033-00) in Bath Township, Greene County, Ohio. The complainant stated that you were the responsible party for the open burning that had occurred. RAPCA performed an on-site inspection of the property on May 28, 2009 and observed a burn site, approximately 5 to 6 feet in diameter, containing the burned remains of residential waste materials including wood waste, insulation, miscellaneous metal, a plastic coated electrical cord, and paper. This burn site was located in a restricted area.

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 the city of Fairborn, plus a zone extending one mile beyond any such municipality with a population of ten thousand persons or more. Upon research conducted by RAPCA, we have determined that this location is within one mile of Fairborn city limits and therefore open burning for residential waste disposal purposes is prohibited. In addition, items that can never be burned, anywhere in the state of Ohio, include items that contain rubber, grease, asphalt or that are made from liquid petroleum products, such as plastics, coated wood, carpeting, foam and insulation.

The open burning which has occurred, due to the above stated reasons, is in 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. **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.

Enclosed with this letter is a Summary Sheet of Ohio's Open Burning Regulations. If you have any questions regarding these regulations, feel free to contact me at (937) 225-5923.

Sincerely,

Brandie K. Lehman
Air Pollution Control Specialist