



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

August 14, 2009

Certified Mail

Josh Blake
1111 Hillcrest Drive
Xenia, OH 45385

Dear Mr. Blake:

WARNING LETTER

On August 13, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint, forwarded from the Ohio Environmental Protection Agency (OEPA), regarding open burning which occurred at 555 Sports Street in Fairborn, Ohio, on August 12, 2009. RAPCA performed an on-site inspection of the property on August 13, 2009 and observed a burn site, approximately 15 feet in diameter, in the rear fenced lot of 555 Sports Street, containing miscellaneous waste materials. This burn site was located on a commercial property in a restricted area. 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 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. Furthermore, open burning for waste disposal purposes is generally limited to one-, two-, and three-family residences and/or farmers for agricultural purposes. A commercial property, such as the property located at 555 Sports Street, does not fall under the definition of those permitted to burn.

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

Cc: Chief Michael Riley, Fairborn Fire Department

CERTIFIED MAIL™

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AGENCY**
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