



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

January 26, 2007

Certified Mail

Mr. Terry Kress
9363 State Route 722
Laura, OH 45337-9638

Dear Mr. Kress:

WARNING LETTER

On January 24, 2007, the Regional Air Pollution Control Agency (RAPCA) received a complaint from the Darke County Sheriff's Office regarding the open burning of tires at your property on 9339 Grubbs-Rex Road in Darke County, Ohio. The burning occurred on January 22, 2007, and was documented by a Darke County Sheriff's Deputy who spoke with you at the time of the incident.

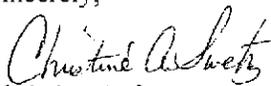
In response to this complaint, a RAPCA representative performed an inspection of the above property on January 25, 2007, and observed a smoldering burn pile approximately 3 feet in diameter. The burn site contained the remains of straw, wood and other agricultural materials. Burned tire rims were observed nearby. The burn site was located in an unrestricted area and within 1,000 feet of a neighboring home. This open burning is in violation of the following state and local air pollution control regulations:

- * Ohio Administrative Code (OAC) rule: 3745-19-04,
Open Burning in Unrestricted Areas.
- * Darke County Board of Health Air Pollution Control Regulations (DCBHAPCR) rule:
3745-19-04, Open Burning in Unrestricted Areas.

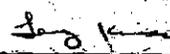
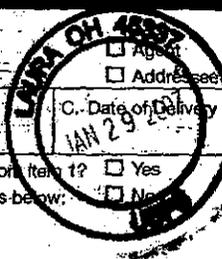
Pursuant to the aforementioned regulations, the open burning of tires, shingles and materials containing rubber, grease, asphalt or liquid petroleum products is strictly prohibited in Ohio. Burning agricultural and residential waste (i.e. clean dry wood or brush) in unrestricted areas is permissible for waste disposal provided the waste is generated on the premises and the burn site is located at least 1,000 feet from neighboring residences. During RAPCA's inspection, the open burning regulations were explained and a one-page summary of Ohio's open burning rules was left with you. This letter serves as official notification to cease all open burning in violation of the aforementioned regulations. Any further violations may result in enforcement actions against you, including penalties.

RAPCA appreciates your cooperation. If you have any questions regarding this matter or Ohio's open burning regulations, you can reach me at (937) 496-7541.

Sincerely,


Christine A. Swetz
Air Pollution Control Specialist
Abatement Unit

cc: Deputy Rick Genovesi, Darke County Sheriff's Dept.
Pittsburg Fire Department

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ 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. 	<p>A. Signature </p> <p><input checked="" type="checkbox"/> Received by (Printed Name) </p> <p>C. Date of Delivery </p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Terry Kress 9363 State Route 722 Laura, OH 45337-9638</p>	<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (transfer from service label)</p>	<p>7004 1160 0000 6164 9319</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

