



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

June 4, 2007

Certified Mail

Mr. & Mrs. Gaylin Delk
4020 Shields Rd.
Arcanum, OH 45304

Dear Mr. & Mrs Delk:

WARNING LETTER

On May 24, 2007, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding the open burning of tires at your residence on 4020 Shields Road in Arcanum, Ohio. The burning occurred on May 22, 2007, and was extinguished by the Arcanum Fire Department.

In response to this complaint, a RAPCA representative performed an inspection of the above property on May 25, 2007, and observed a burn pile approximately 8'X6'X6' in size. The burn site contained the remains of at least five tires and tree limbs. 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.

No one was present during RAPCA's inspection. An Official Order documenting the violation was posted along with a one-page summary of Ohio's open burning rules. 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 in this matter. 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: Arcanum Fire Department
Mr. & Mrs. Brent Henninger, Property Owners

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:

Mr. & Mrs. Gaylin Delk
402 S. Shields Road
Arcanum, OH 45304

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x *B. Delk* Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
6/15/07

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

3. Service Type:
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7004 1160 0000 6164 9753

