



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

October 17, 2007

Certified Mail

Mr. & Mrs. Robert McNutt
7266 New Madison-Coletown Rd.
Greenville, OH 45331

Dear Mr. & Mrs. McNutt:

WARNING LETTER

On October 11, 2007, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding the open burning of agricultural materials and possibly manure and/or dead animals on your property at 7266 New Madison-Coletown Road in Washington Township, Ohio. This open burning reportedly occurred on October 6, 2007. The complainant noted a horrible odor and stated that family members experienced burning eyes, and difficulty breathing.

In response to this complaint, I performed an inspection of the above property on October 12, 2007, and observed a large burn pile in the front yard, northeast of your home. The burn site was approximately 10'X6'X3' in size and was located less than 1,000 feet from several neighboring homes. The remains of straw were noted in the burn site. 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 above regulations, the open burning of clean dry wood and agricultural waste is permissible for waste disposal, but the burn site must be located **at least 1,000 feet from the nearest neighboring residence**. Furthermore, the rules **prohibit** the open burning of dead animals or manure. This letter serves as official notification to cease all open burning in violation of the aforementioned regulations. Future violations may result in enforcement actions against you, including penalties.

I spoke with you during my inspection and explained the applicable open burning regulations. You stated that you had burned some old straw bales but that no animals or used bedding/manure had been burned. At that time, it was uncertain if you have enough property to meet the 1,000

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foot distance requirement for burning agricultural waste from your farm. I recommended that you contact the Darke County Auditor's Office to inquire if there is a location on your property that would meet the distance requirement. The number to call is that of G.I.S. Mapping at (937) 547-2509.

RAPCA appreciates your cooperation in this matter. Enclosed is a pamphlet summarizing Ohio's open burning regulations. If you have any questions regarding this information, you can reach me at (937) 496-7541.

Sincerely,



Christine A. Swetz
Air Pollution Control Specialist
Abatement Unit

Enclosure

cc: Union City Fire Department

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 ROBERT MCNUTT
7266 MADISON-COLETOWN RD
GREENVILLE, OH 45331

2. Article Number
(transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Carol McNutt Agent Addressee

B. Received by (Printed Name) *Carol McNutt* C. Date of Delivery *10-19-07*

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 6981