



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

March 19, 2008

Certified Mail

Mr. Arthur Hayes
7130 State Route 49 N
Greenville, OH 45331

Dear Mr. Hayes:

WARNING LETTER

On February 25, 2008, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding the open burning of trash on your property at 7130 State Route 49 North in Greenville. According to the complaint report, solid waste is burned at night on a frequent basis. RAPCA has received several complaints in past years for the same activity at this location and has documented and cited you for open burning violations on the property. A certified Warning Letter was mailed to you on September 5, 2007, for the most recent violation involving the open burning of trash in August 2007.

Due to the fact that a repeat complaint was received involving air and solid waste issues, a RAPCA representative performed an inspection of the above property on March 3, 2008, accompanied by members of the Ohio EPA and Darke County General Health District. You were not home at the time of the inspection. While no new open burning incidents or violations since August 2007 could be confirmed, two large open burning sites were documented on the property. One site, approximately 8 feet in diameter was located directly north of your residence. The second site, exceeding 20'X10' in size, was near the northwest corner of your property where open burning had been previously documented. Both sites contained the remains of burned trash, including plastics, food containers, miscellaneous appliances, metal parts and wood. Additionally, both sites were stacked with new, unburned trash, including plastics, food containers, and newspapers. The site to the rear of the property also contained unburned clothing, furniture and a mattress and box springs.

The above burn sites are located in a restricted area, less than 1,000 feet from neighboring homes. **Open burning the above materials will be a violation of the following state and local air pollution control regulations:**

- * Ohio Administrative Code (OAC) rule: 3745-19-03,
Open Burning in Restricted Areas.
- * Darke County Board of Health Air Pollution Control Regulations (DCBHAPCR)
rule: 3745-19-03, Open Burning in Restricted Areas.

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Pursuant to the aforementioned regulations, the open burning of garbage, tires, shingles and materials containing rubber, grease, asphalt or liquid petroleum products is strictly prohibited in Ohio. Furthermore, the open burning of landscape and residential waste for disposal is not permissible within restricted areas.

This letter serves as an official warning from RAPCA that the above materials may not be burned. RAPCA strongly recommends that NO additional open burning of any kind take place on your property. If any further open burning violations are documented, RAPCA will pursue formal enforcement actions which will include civil penalties.

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: Corrie Holthaus, Darke County General Health District
Cheryl Allen, Ohio EPA, SWDO Solid & Infectious Waste Mgmt.
Chief Chris Greer, Greenville Township Fire Dept.

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 ARTHUR HAYES
7130 STATE ROUTE 49N
GREENVILLE, OH 45331

2. Article Number
(Transfer from service label)

7004 1160 0000 6165 3941

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Arthur Hayes
B. Received by (Printed Name) C. Date of Delivery
2-27-09

- Agent
- Addressee

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

Domestic Return Receipt

102595-02-M-1540