



## 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

July 17, 2008

### Certified Mail

Ms. Marianne Prince  
2375 Monroe-Concord Rd.  
Troy, OH 45373

Dear Ms. Prince:

On May 29, 2008, in response to an anonymous complaint, a representative of the Regional Air Pollution Control Agency (RAPCA) performed an inspection of the property on 4880 Horiatio-Harris Creek Road in Greenville, Ohio. The Darke County Auditor's Office lists you as the owner of this property. Chief Greer and Assistant Chief Murphy of the Greenville Township Fire Department accompanied RAPCA on this inspection.

A burn pile was observed behind the property's house and barn containing the charred remains of garbage, including tin cans/food containers and other miscellaneous debris. Stacked on top of the pile were three unburned dog houses, a plastic bag of household trash and several sheets of scrap plywood. The burn site was less than 1,000 feet from a neighboring residence. 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 garbage/food products and materials containing rubber, grease, asphalt or liquid petroleum products is strictly prohibited in Ohio. The doghouses were constructed with treated/painted lumber which are not suitable materials for burning. Furthermore, the open burning for waste disposal of clean dry wood, such as landscape, agricultural and residential waste, is not permissible within 1,000 feet of neighboring homes. A certified Warning Letter was mailed to your tenant, Terry Sarver, for the open burning violation. Please be advised, that as the owner of the property, you may be held responsible if future unauthorized open burning incidents are documented on this property.

Also observed at the time of RAPCA's inspection was a demolished barn on the property. RAPCA observed suspect material, identified as transite, asbestos-containing material (ACM), in the debris. Because the broken remains of ACM is present, the entire demolition site must be

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carefully handled pursuant to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos. RAPCA advises you of the federal requirement contained in the NESHAP and OAC and DCBHAPCR rule 3745-20-04 which prohibits the burning of regulated asbestos-containing materials (RACM). **NONE of the material from the demolished barn may be burned due to the broken transite which is scattered throughout the debris.**

**Pursuant to 40 CFR Part 61.150 and OAC and DCBHAPCR rule 3745-20-05, all asbestos-containing waste material from a facility shall be deposited at an approved solid waste disposal site.** RAPCA strongly advises that you comply with all applicable state and federal NESHAP regulations to avoid any violations and subsequent enforcement action. **As the property owner, you are ultimately responsible for assuring that disposal of the barn is done in compliance with all applicable regulations.**

RAPCA representatives have corresponded with you on numerous occasions this year regarding open burning matters at your home residence. Please be aware that I am replacing Eileen Moran as the Miami County representative for open burning issues. I am also the RAPCA representative for Darke County. If you have any questions or concerns regarding state or local open burning regulations, please contact me at (937) 496-7541.

RAPCA appreciates your cooperation in this matter. If you have any questions regarding the asbestos regulations, please contact Sara Gostomsky, RAPCA's Asbestos Coordinator, at (937) 225-5947.

Sincerely,



Christine A. Swetz  
Air Pollution Control Specialist  
Abatement Unit

cc: Greenville Township Fire Department  
Corrie Holthaus, Darke County General Health District  
Sarah Gostomsky, RAPCA

7-17-08 WL

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- 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:

**MS MARIANNE PRINCE**  
 2375 MONROE-CONCORD RD  
 TROY, OH 45373

2. Article Number  
*(transfer from service label)*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

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- Agent
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B. Received by (Printed Name)

M. Prince

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