



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

September 3, 2008

Certified Mail

Ms. Mary Lou Runner

Mr. Chris Rinderle

Mr. James Rinderle

11239 Cramer Rd.

Versailles, OH 45380

NOTICE OF VIOLATION (Non-HPV)

Summary

On February 28, 2008, the Versailles Fire Department responded to a large tire fire at 11239 Cramer Road in Versailles, Ohio. Representatives from the Regional Air Pollution Control Agency (RAPCA), Ohio EPA Division of Solid and Infectious Waste Management, and Darke County General Health District inspected the property on March 3, 2008, and documented the open burning of tires in violation of state and local air pollution control regulations. As the property owner and individuals responsible for the fire, you are hereby notified of these violations and ordered to cease all unauthorized open burning activities.

Dear Ms. Mary Lou Runner & Messrs. Chris Rinderle & James Rinderle:

On February 29, 2008, RAPCA received a complaint regarding the intentional open burning of tires on the property at 11239 Cramer Road in Versailles, Ohio. The Versailles Fire Department responded to the incident which occurred on February 28, 2008, but was unable to locate anyone at the scene.

On March 3, 2008, in response to the complaint received, representatives from RAPCA, the Ohio EPA Division of Solid and Infectious Waste Management, and Darke County General Health District performed an inspection of the above property. At the time of the inspection, Chris Rinderle, nephew of property owner Mary Lou Runner, was present and escorted agency representatives to the burn site. A large pit, approximately 25 feet long and 10 feet wide was observed containing the remains of dozens of burned tires.

The property where the fire occurred is located in an unrestricted area. This open burning is in violation of the following state and local air pollution control regulations:

- * Ohio Administrative Code (OAC) rules: 3745-19-04 (B)(3)(e), Open Burning in Unrestricted Areas

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- * Darke County Board of Health Air Pollution Control Regulations (DCBHAPCR) rules: 3745-19-04 (B)(3)(e), Open Burning in Unrestricted Areas
- * Ohio Revised Code 3704.05 (G)

Pursuant to the above regulations, the open burning of materials containing rubber, grease, asphalt or liquid petroleum products is strictly prohibited in Ohio. The open burning regulations were explained to Chris Rinderle during the investigation on March 3, 2008. Mr. Rinderle acknowledged himself and his brother, James Rinderle, as the individuals responsible for burning the tires.

On March 18, 2008, a RAPCA representative spoke with Mary Lou Runner by phone regarding the above open burning violation. Ms. Runner verified that her nephews, Chris and James Rinderle, were responsible for setting the fire which she had not authorized.

This letter serves as official notification of the aforementioned violations and to cease all unauthorized open burning activities. RAPCA believes the above open burning to be a serious matter and requires that, within 14 days of receipt of this letter, you submit a written commitment to maintain compliance with all open burning regulations in the future.

Acceptance of the compliance plan by RAPCA does not constitute a waiver of the Ohio EPA's and RAPCA's authority to seek civil penalties as provided in section 3704.06 and 3707.49 of the Ohio Revised Code. The determination whether to pursue such penalties will be made by the Ohio EPA and RAPCA at a later date.

If you have any questions regarding this matter, please contact Christine Swetz at (937) 496-7541.

Sincerely,



Jennifer Marsee
Supervisor
Abatement Unit

cc: Cheryl Allen, Ohio EPA, DSIWM
Corrie Holthaus, Darke County General Health District
Chief Robert Frey, Versailles Fire Department
Lisa Holscher, USEPA
Tom Kalman, Ohio EPA

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Total | MS MARY LOU RUNNER
 Sent To | MR CHRIS RINDERLE
 Street | MR JAMES RINDERLE
 or PO E | 11239 CRAMER RD
 City, St | VERSAILES, OH 45380

PS Form 3800, June 2002 See Reverse for Instructions

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. 		A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Mary Runner</i>	
1. Article Addressed to: MS MARY LOU RUNNER MR CHRIS RINDERLE MR JAMES RINDERLE 11239 CRAMER RD VERSAILES, OH 45380		B. Received by (Printed Name) _____ C. Date of Delivery <i>9/4/02</i>	
2. Article Number (Transfer from service label)		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <i>MARY Runner</i>	
PS Form 3811, February 2004		3. Service Type <input type="checkbox"/> Certified Mail <input 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. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
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