





## 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

April 7, 2009

### Certified Mail

Mr. Matthew Thompson  
A.D.C. Concrete  
1857 St. Rt. 571 West  
Greenville, OH 45331

Dear Mr. Thompson:

### WARNING LETTER

On April 1, 2009, while conducting fieldwork, I observed a large quantity of smoke coming from the southeast corner of your property located at 1857 St. Rt. 571 West, in Darke County, Ohio. I performed an inspection of the premises and documented an unattended fire. The burn site was approximately 10'X10'X8' in size and contained landscape wastes, brush, woodchips, construction materials and other miscellaneous trash items such as insulation and plastics. Wind gusts were near 20 mph and the burn site was located less than 500 feet from a neighboring residence. The property 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) 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 trash and plastics is prohibited in the state of Ohio. Furthermore, the open burning of clean dry wood for waste disposal is not permissible within 1,000 feet of a neighboring residence. Per the G.I.S. Mapping division at the Darke County Auditor's Office, there is **nowhere** on your property where the 1,000 ft distance requirement can be met, thus, **no** open burning for waste disposal is permissible.

At the time of my inspection I spoke to your Office Manager who put me in contact with you by phone. The open burning regulations were explained to you and I stated that the fire must be put out, which you agreed to do. An Official Order documenting the violation and requiring immediate cessation of the fire was left with your Office Manager.

This is the second open burning violation on record with the Regional Air Pollution Control Agency (RAPCA). On February 28, 2005, RAPCA documented a violation on the same property

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involving tires, a mattress, plastics, trash and wood. An Official Order and Warning Letter were issued to you in 2005 for the violation. **This letter and the April 1, 2009 Order serve as official notification to cease all open burning in violation of the aforementioned regulations.** Any further violations will result in enforcement actions against you, including criminal and/or civil penalties.

RAPCA appreciates your cooperation in this matter. If you have any questions regarding this information 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  
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. MATTHEW THOMPSON  
A.D.C. CONCRETE  
1857 ST RT 571 WEST  
GREENVILLE, OH 45331

2. Article Number  
(Transfer from service label)

7008 1300 0001 9323 3051

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*Janita Shump*  Agent  
 Addressee

B. Received by (Printed Name)

*Janita Shump*

C. Date of Delivery

4-8-09

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

