



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 23, 2010

Certified Mail

Mr. & Mrs. Randy Sargent
7396 Auld Rd.
Bradford, OH 45308

Dear Mr. & Mrs. Sargent:

WARNING LETTER

On April 12, 2010, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding excessive smoke and offensive odors from open burning at your property on 7396 Auld Road in Bradford, Darke County, Ohio. The incident occurred on April 11, 2010, and the Gettysburg Fire Department was dispatched to the scene.

In response to the complaint, I performed an inspection of the above location on April 14, 2010 and met with Mrs. Sargent who explained that only tree trimmings and brush from the property had been burned. I observed a 55-gallon drum in the back yard, containing ashes and the remains of what appeared to be brush. This property is located in an unrestricted area and there was no evidence of inappropriate material being burned. I did, however, explain to Mrs. Sargent that this open burning was 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.

Per the above regulations, the open burning of residential and landscape waste for disposal purposes must take place at least 1,000 feet from neighboring homes in an unrestricted area. Additionally, no material may be burned which is generated off the premises. Per the Darke County Auditor's Office, your property consists of approximately one acre. There are no locations on this property where the 1,000 foot distance requirement can be met, therefore, no open burning for waste disposal is permissible. RAPCA suggests that you find an alternative means of disposal such as composting, chipping or hauling to an approved solid waste disposal site.

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Mrs. Sargent asked about recreational fires during my visit. Pursuant to the above regulations, small recreational/cooking fires are permissible in unrestricted areas. However, the regulations require that the following conditions be met:

1. They are fueled with clean seasoned firewood, natural gas or equivalent, or any clean burning fuel with emissions that are equivalent to or lower than those created from the burning of seasoned firewood;
2. They are not used for waste disposal purposes; and
3. They shall have a total fuel area of three feet or less in diameter and two feet or less in height.

Larger, organized /'ceremonial' bonfires in unrestricted areas are subject to the following conditions:

1. They have a total fuel area no greater than five feet in diameter by five feet in height and burn no longer than three hours;
2. They are not used for waste disposal purposes; and
3. They are fueled with clean seasoned firewood, natural gas or equivalent, or any clean burning fuel with emissions that are equivalent to or lower than those created from the burning of seasoned firewood.

RAPCA appreciates your cooperation in this matter. Information summarizing the above open burning regulations was left at the time of my visit. Also enclosed is an ODNR pamphlet regarding additional open burning restrictions which apply in unincorporated areas during the months of March, April, May, October and November.

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: Gettysburg Rural 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. Randy Sargent
7396 Auld Rd.
Bradford, OH 45308

2. Article Number
(Transfer from service label)

7009 3410 0001 7190 7737

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

Randy Sargent

C. Date of Delivery

4/24

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail
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4. Restricted Delivery? (Extra Fee) Yes