



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 30, 2009

Certified Mail

Mr. Daniel Besecker
3075 State Route 49
Arcanum, OH 45304

Dear Mr. Besecker:

WARNING LETTER

On April 1, 2009, while traveling on State Route 49, a representative from the Regional Air Pollution Control Agency (RAPCA) observed a large smoldering burn pile behind the residences located along the 7300 block of Hollansburg-Sampson Road in Van Buren Township, Darke County, Ohio. Per records at the Darke County Auditor's Office, you are the owner of this property. The burn site was approximately seven feet in diameter and six feet in height and located less than 1,000 feet from several neighboring residences. The smoldering material was mixed with a large amount of dirt and appeared to consist of brush/landscape wastes. The above 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 aforementioned regulations, waste disposal open burning of residential, agricultural or landscape wastes in unrestricted areas must take place at least 1,000 feet from neighboring homes. Additionally, no such permissible fire may create a visibility hazard on roadways and no material may be burned which is generated off the premises. There is nowhere on this property where the 1,000 foot distance requirement can be met, therefore, NO open burning for waste disposal is permissible. You may consider mulching the material or taking it to an approved solid waste disposal facility.

This letter serves as official notification of the aforementioned open burning violation. RAPCA suggests that you find an alternative means of disposal in the future. Any further violations of the regulations may result in enforcement actions against you including 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

cc: Arcanum Fire Department

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. 	<p>A. Signature</p> <p><i>X Jesse Besecker</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>
1. Article Addressed to:	<p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>Jesse Besecker</i> <i>3-27-04</i></p>
<p>Mr. Daniel Besecker 3075 State Route 49 Arcanum, OH 45304</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p> <p><i>3020 Rt 49 45304</i></p>
2. Article Number (Transfer from service label)	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
PS Form 3811, February 2004	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>7008 1300 0001 9323 3235</p> <p>Domestic Return Receipt 102595-02-M-1540</p>