



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

October 17, 2007

Certified Mail

James Fogarty

5250 Willow Dale Rd.

Springfield, OH 45502

WARNING LETTER

Dear Mr. Fogarty:

On October 16, 2007, the Regional Air Pollution Control Agency (RAPCA) received a complaint that open burning for yard waste disposal purposes was taking place at 5250 Willow Dale Road in German Township, Clark County, Ohio. RAPCA performed an inspection of the property on October 17, 2007 and observed a burn site at the rear of this property, which contained the burned remains of pine needles, brush and other yard waste. This burn site was approximately five feet in diameter and was located within one thousand feet of neighboring residences.

Pursuant to Ohio Administrative Code (OAC) rule and Clark County Combined Health District Air Pollution Control Regulations (CCCHDAPCR) section 3745-19-04, **Open Burning in Unrestricted Areas**, open burning for residential waste disposal purposes may only take place if the fire is located at a point on the premises no less than one thousand feet from any inhabited building not located on said premises.

The open burning that has occurred is a violation of OAC rule and CCCHDAPCR section 3745-19-04. This letter serves as official notification from RAPCA to cease all open burning activities in violation of the state and local air regulations. Any further violations of these regulations may result in enforcement actions against you, which include possible criminal and/or civil penalties.

If you have any questions regarding the open burning regulations, please feel free to contact me at (937) 225-5923.

Sincerely,

Brandie K. Lehman

Air Pollution Control Specialist

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:

JAMES FOGARTY
5250 WILLOW DALE RD
SPRINGFIELD, OH 45502

2. Article Number
(Transfer from service label)

7004 1160 0000 6164 7001

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *James Michael Fogarty* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
JAMES MICHAEL FOGARTY 10-19-07

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

