



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 9, 2008

Certified Mail

Chris Morris

New Carlisle Auto Parts

690 Quick Road

New Carlisle, OH 45344

Dear Mr. Morris,

WARNING LETTER

On September 8, 2008, the Regional Air Pollution Control Agency (RAPCA) received a complaint from the Clark County Combined Health District (CCCHD) regarding open burning at New Carlisle Auto Parts located at 690 Quick Road in Bethel Township, Clark County, Ohio. The CCCHD observed trash, including plastic bottles, burning in a 55 gallon drum during an inspection. RAPCA also performed an inspection of the premises later that day, on September 8, 2008, and observed a 55 gallon drum containing the charred remains of trash, including plastic bottles. The burn site was located at a commercial business, in an unrestricted area, within 1,000 feet of the nearest inhabited building. 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.
- * Clark County Combined Health District Air Pollution Control Regulations
(CCCHDAPCR) rule: 3745-19-04, **Open Burning in Unrestricted Areas.**

Pursuant to the above regulations, open burning of items containing rubber, grease, asphalt or items made from petroleum, such as plastics, is strictly prohibited in the state of Ohio. Furthermore, open burning for waste disposal is generally limited to one-, two-, and three-family residences and/or farmers for agricultural purposes. A commercial facility, such as New Carlisle Auto Parts, does not fit the definition of those permitted to open burn for waste disposal. In addition, open burning for the purpose of waste disposal is not permitted within 1,000 feet of the nearest inhabited building.

This letter serves as official notification to cease all open burning in violation of the aforementioned regulations. RAPCA strongly recommends that you find an alternate means of waste disposal in the future. Any further violations of the regulations will result in enforcement actions against you which could include criminal and/or civil penalties.

RAPCA appreciates your cooperation in this matter. If you have any questions regarding this information, please call me at (937) 225-4533.

Sincerely,
Lesley A. Jenkins
Lesley A. Jenkins
Air Pollution Control Specialist

cc: Regina Cahill & Rick Miller, Clark County Combined Health District

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