



## 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 29, 2009

Certified Mail

Shirley Day

5485 Lundy Lane

South Vienna, OH 45369

Dear Ms. Day,

### WARNING LETTER

On March 31, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding open burning being conducted between March 13 and 15, 2009, on your property at 5485 Lundy Lane in Pleasant Township, Clark County, Ohio. RAPCA inspected the property later that same day and spoke with Kelly Champlan, who stated that a fire initially started to burn grass clippings unintentionally spread, ultimately resulting in the Harmony Township Fire Department responding to your property. This burn site is located in an unrestricted area within 1000 feet of several neighboring residences. This open burning is in violation of the following state and local open burning 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 residential waste (i.e. dry, untreated wood products) for disposal purposes is not permissible within **1,000 feet** of neighboring residences. Furthermore, items containing rubber, grease, asphalt or petroleum (such as plastics) and garbage (any matter resulting from food preparation and/or consumption) are strictly prohibited from being burned anywhere in the state of Ohio.

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) 225-4453.

Sincerely,

Lesley A. Jenkins

Air Pollution Control Specialist

cc: Pleasant Township Fire Department  
Harmony Township Fire Department



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117 South Main Street  
Dayton, Ohio 45422-1280

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SHIRLEY DAY  
5485 LUNDY LANE  
SOUTH VIENNA, OH 45369

*Sealoff*

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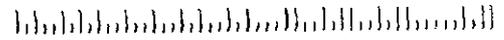
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PS Form 3800, April 2008 See Reverse for Instructions