





## 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

July 31, 2009

### Certified Mail

Mr. Matthew Rado  
5923 W. National Rd.  
Springfield, OH 45506

Dear Mr. Rado:

### WARNING LETTER

On July 27, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding excessive smoke and offensive odors from frequent open burning at your property on 5923 West National Road in Bethel Township, Clark County, Ohio. At approximately 9:00 PM on July 26, 2009, the Bethel Township Fire Department responded to an unauthorized fire at the above location. An unattended, medium-sized burn site, containing cardboard and lumber was documented by the Fire Department. This open burning occurred in an unrestricted area and 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 aforementioned regulations, waste disposal open burning of residential, agricultural or landscape wastes (including wood and brush) in unrestricted areas must take place at least 1,000 feet from neighboring homes. Additionally, no material may be burned which is generated off the premises. Per the Clark County Auditor's Office, your property consists of 1.4 acres. 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.

On July 27, 2009, a representative from RAPCA attempted to perform an inspection at the above property in response to the complaint received. No one was home at the time of RAPCA's visit and much of the property was enclosed by a privacy fence. RAPCA left a card requesting you contact the agency to discuss an important matter. No follow up from you was received.

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This letter serves as official notification of the aforementioned open burning violation. RAPCA strongly suggests that you find an alternative means of waste 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  
Abatement Unit

cc: Bethel Township Fire Department (Clark County)

**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. Matthew Rado  
5923 W. National Road  
Springfield, OH 45506

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*X Matthew Rado*  Addressee

B. Received by (Printed Name) C. Date of Delivery  
8-1-09

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

7008 1830 0003 0181 1078

Domestic Return Receipt

102595-02-M-1540