



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 5, 2009

Certified Mail

Gary Brown
4122 Southwest Circle
Springfield, OH 45504

Dear Mr. Davis,

WARNING LETTER

This letter serves as follow up to our conversation on September 10, 2009. On September 8, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding open burning on your property at 4122 Southwest Circle in Springfield Township, Clark County, Ohio. RAPCA then performed an inspection of the premises on September 10, 2009, and observed a burn pile approximately 6'X6' in size, containing metal springs, treated wood, garbage and other miscellaneous debris. The burn site was located in a restricted area, within 1,000 feet of several neighboring residences. This open burning is in violation of the following state and local air pollution control regulations:

- * Ohio Administrative Code (OAC) rule: 3745-19-03,
Open Burning in Restricted Areas.
- * Clark County Combined Health District Air Pollution Control Regulations (CCCHDAPCR): 3745-19-03, **Open Burning in Restricted Areas.**

Pursuant to the above regulations, open burning of residential and landscape waste (i.e. clean, dry wood products) for the purpose of disposal is not permissible in restricted areas. Due to your home's proximity to the city of Springfield (within 1 mile), your property is located within a restricted area. Additionally, open burning for waste disposal purposes is not permissible within **1,000** feet of neighboring residences. Furthermore, items containing rubber, grease, asphalt or liquid petroleum products (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

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 <input checked="" type="checkbox"/> <i>Gary Brown</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery 10-7-03</p>
<p>1. Article Addressed to:</p> <p>Gary Brown 4122 Southwest Circle Springfield, OH 45504</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7008 1830 0003 0181 3690</p>

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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Restricted Delivery Fee (Endorsement Required)		
Total		

Sent To: Gary Brown
Street: 4122 Southwest Circle
or PO: Springfield, OH 45504
City, S: _____

PS Form 3800, August 2006 See Reverse for Instructions

7008 1830 0003 0181 3690



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November 4, 2009

Certified Mail

Terry L. Minton
Dalton Maintenance, Inc.
4874 Arabian Drive
Fairborn, OH 45324

Dear Mr. Minton,

WARNING LETTER

On October 8, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint from the Southwest District Office of the Ohio Environmental Protection Agency (SWDO OEPA), whose personnel witnessed open burning being conducted on your property at 3055 Spangler Road in Bethel Township, Clark County, Ohio. 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.
- * Miami County Board of Health Local Air Pollution Control Regulations (MCBHLAPCR)
rule: 3745-19-04, **Open Burning in Unrestricted Areas**

Pursuant to the above regulations, open burning for disposal purposes is limited to waste classified as residential (any waste material, including landscape wastes, generated on a one-, two-, or three family residence as a result of residential activities, but not including garbage) and agricultural (waste material generated by crop, horticulture, or livestock production practices). Additionally, open burning of residential or agricultural waste (i.e. dry, untreated wood products) for disposal purposes is not permissible within **1,000 feet** of neighboring residences. It is not permissible to burn waste generated through commercial business activities.

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

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:
 Terry L. Minton
 Dalton Maintenance, Inc.
 4874 Arabian Drive
 Fairborn, OH 45324

2. Article Number
 (Transfer from service label)

7008 1830 0003 0181 3584

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
Stacey Henderson

B. Received by (Printed Name) C. Date of Delivery
Stacey Henderson JAN 5 2004

D. Is delivery address different from item 1? Yes
 No
 If YES, enter delivery address below:

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 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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T. Terry L. Minton
 Dalton Maintenance, Inc.
 4874 Arabian Drive
 Fairborn, OH 45324

PS Form 3800, August 2006

See Reverse for Instructions