





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 13, 2010

Certified Mail

Charles A. Setty
10855 Haddix Road
Fairborn, OH 45324

Dear Mr. Setty,

WARNING LETTER

On June 28, 2010, the Regional Air Pollution Control Agency (RAPCA) received notification from the Enon-Mad River Township Fire Department of the open burning of tires at 10855 Haddix Road in Mad River Township, Clark County, Ohio. RAPCA then performed an inspection of the premises on that same day and observed a large pile of burning tires, approximately 25' X 50' in size. The Enon-Mad River Township Fire Department was delayed in extinguishing the fire due to nearby electrical lines, but was able to do so while RAPCA was on site. The Enon-Mad River Township Fire Department attributed the incident to a lightning strike. While on site, however, RAPCA noted an additional burn pile, approximately 20' X 20' in size, containing the charred remains of tires, drywall, particle board and other miscellaneous debris. There were also unburned interior doors and drywall remnants stacked on top of the burn pile. 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) rule: 3745-19-03, **Open Burning in Restricted Areas.**

Pursuant to the above regulations, open burning of residential waste (i.e. dry, untreated wood products) for disposal purposes is not permissible within a **restricted area** or **1,000 feet** of neighboring residences. Additionally, items containing rubber (such as tires), 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. Furthermore, it is unlawful to burn building materials or demolition debris, such as doors, drywall, etc., for waste disposal.

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. I have enclosed with this letter a summary of Ohio's open burning regulations. 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 type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
1. Article Addressed to: Charles A. Setty 10855 Haddix Road Fairborn, OH 45324	<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>
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