



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

December 7, 2010

Certified Mail

Rocio Vargas
122 N. Church Street
New Carlisle, OH 45344

Dear Mr. Vargas,

WARNING LETTER

This letter serves as follow up to our conversation on November 19, 2010. The Regional Air Pollution Control Agency (RAPCA) received a complaint on November 18, 2010, regarding the open burning of demolition debris on your property located at 10018 Troy Road in Pike Township, Clark County, Ohio. RAPCA conducted an inspection of the premises on November 19, 2010, and observed the open burning of materials from a demolished garage, including treated wood products. The burn site was located in an unrestricted area. 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.**

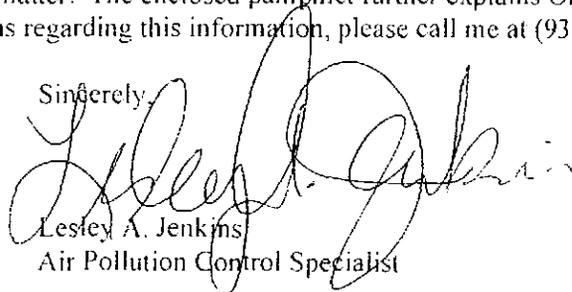
Pursuant to the above regulations, structural material (including materials from demolished structures) does not meet the definition of residential or agricultural waste and is not permissible to burn for waste disposal. Furthermore, items containing rubber, grease, asphalt or petroleum (such as treated/painted wood products) 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. Any further violations of the regulations will result in enforcement actions against you which could include criminal and/or civil penalties.

As we discussed, it is permissible to burn tree limbs and brush originating on the property for waste disposal so long as the burn pile is at least 1,000 feet from neighboring inhabited buildings or residences.

RAPCA appreciates your cooperation in this matter. The enclosed pamphlet further explains Ohio's open burning regulations. If you have any questions regarding this information, please call me at (937) 225-4453.

Sincerely,



Lestey 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:

Rocio Vargas
122 North Church Street
New Carlisle, Ohio 45344

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
X Rocio Vargas

B. Received by (Printed Name) C. Date of Delivery
Rocio Vargas 12-9-10

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

2. Article Number
(Transfer from service label) 7010 1670 0000 2975 9497