



## 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

August 17, 2007

**Certified Mail**

Neil Winland

Danis Building Construction Company

5801 Clyo Road

Centerville, OH 45459

### WARNING LETTER

Dear Neil Winland:

On August 14, 2007, The Regional Air Pollution Control Agency (RAPCA), observed visible fugitive emissions on an unpaved roadway in excess of 13 minutes in a 60 minutes observation period. Using USEPA Reference Method 22, RAPCA documented 13 minutes and 25 seconds of fugitive dust during a 40 minute observation period. This is the second documented occurrence of excessive fugitive dust emissions. On June 11, 2007, RAPCA documented 13 minute of fugitive dust in a 27 minute observation period. Pursuant to Ohio Administrative Code (OAC) rule and Montgomery County Combined General Health District Air Pollution Control Regulations (MCCGHDAPCR) 3745-17-07 (B), Visible particulate emissions limitations for fugitive dust, "... there shall be no visible particulate emissions from any unpaved roadway or parking area except for a period of time not to exceed thirteen minutes during any sixty-minute observation period . . ."

Further, lack of adequate fugitive dust control measures is a violation of OAC rule and MCCGHDAPCR rule 3745-17-08 (B), Restriction of emission of fugitive dust, which states "No person shall cause or permit any fugitive dust source to be operated; or any materials to be handled, transported, or stored; or a building or its appurtenances or a road to be used, constructed, altered, repaired, or demolished without taking or installing reasonably available control measures..."

This letter serves as an official warning from RAPCA to cease all activities in violation of both state and local air pollution control regulations. Any further violations of these rules could result in enforcement actions against Danis.

If you have any questions regarding this matter, please contact me at (937) 225-4005.

Sincerely,

Eileen C. Moran

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:

Neil Winland  
 Danis Building Construction Co.  
 5801 Clyo Road  
 Centerville, OH 45459

2. Article Number  
 (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  X *Neil Winland*  Agent  Addressee

B. Received by (Printed Name) *Neil Winland* C. Date of Delivery *8-20-07*

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

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
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4. Restricted Delivery? (Extra Fee)  Yes

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PS Form 3811, February 2004

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 Danis Building Construction Co.  
 5801 Clyo Road  
 Centerville, OH 45459

PS Form 3800, June 2002

See Reverse for Instructions

