



## 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](http://www.rapca.org)

August 7, 2009

### CERTIFIED MAIL

Ms. Kathy Hartman  
7212 State Line Road  
New Paris, Ohio 45347

Dear Ms. Hartman:

### WARNING LETTER

#### Summary:

On March 20, June 29 and July 28, 2009, representatives from the Regional Air Pollution Control Agency (RAPCA) documented open burning at 7212 State Line Road, New Paris, Ohio in Preble County. This open burning is in violation of Ohio Administrative Code (OAC) 3745-19-03, Open Burning in Restricted Areas. You are hereby notified of these violations and ordered to cease all unauthorized open burning activities at once.

Dear Ms. Hartman:

On March 20, 2009, a representative from RAPCA conducted an inspection at your residence regarding complaints of illegal open burning. RAPCA documented a large burn site containing wood and brush. At that time, the representative explained that open burning for waste disposal was prohibited on the property. This open burning is in violation of OAC rule 3745-19-03. An informational letter explaining the open burning regulations dated April 6, 2009 was sent to your residence.

On June 29, 2009, a representative from RAPCA conducted a second inspection at your residence regarding complaints of continued illegal open burning. A large burn site was observed and it was explained to an individual at the residence, Mr. Marcum, that open burning for waste disposal on the property was prohibited. This open burning is in violation of OAC rule 3745-19-03. RAPCA sent another letter dated July 2, 2009 explaining the open burning regulations.

On July 26, 2009, Chief Simpson from the Northwest Fire Department responded to an illegal burn at your residence and explained the open burning regulations. On July 28, 2009, a representative from RAPCA conducted a third inspection at your residence regarding the open burning that occurred on July 26, 2009. A large burn site that was partly covered by tree branches was visible on the property. Another smaller burn site surrounded by cement blocks was also on

Ms. Hartman  
August 7, 2009  
Page 2

the property and may have contained burn materials other than clean, dry, seasoned wood. This open burning is in violation of OAC rule 3745-19-03.

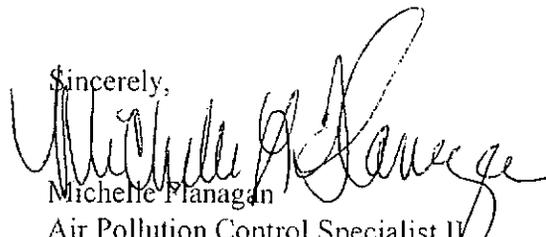
Per OAC rule 3745-19-06, Open burning unilateral order, a violator may be assessed two hundred-fifty dollars per day for each separate violation of the rules in chapter 3745-19 for open burning on residential property. RAPCA has documented three (3) open burning violations to date.

RAPCA requests that the burn sites be cleaned up and burn materials are properly disposed in accordance with state and local solid waste regulations. Per OAC rule 3745-19-03, the only open burning that may occur on this property without a permit or notification to RAPCA is for recreational purposes. The fire shall have a total fuel area of three feet or less in diameter and two feet or less in height and fueled with clean seasoned firewood.

This letter serves as official notification of the aforementioned violations and to cease all unauthorized open burning activities immediately.

If you have any questions regarding this matter or Ohio's open burning regulations, please contact me at (937) 496-7467.

Sincerely,



Michelle Flanagan  
Air Pollution Control Specialist II  
Abatement Group

cc: Chief Simpson, Northwest Fire Department

**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:

Ms. Kathy Hartman  
 7212 State Line Road  
 New Paris, OH 45347

2. Article Number  
 (Transfer from service label)

7008 1830 0003 0181 3799

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Kathy Hartman*

Sent  
 Addressee

B. Received by Printed Name

*KATHY HARTMAN*

C. Date of Delivery

AUG 1 2009

D. Is delivery address different from item 1?  
 If YES, enter delivery address below:

Yes  
 No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

U.S. Postal Service™

**CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7008 1830 0003 0181 3799

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	

Postmark Here

Sent to  
 Street, or P.O.  
 City, S

Ms. Kathy Hartman  
 7212 State Line Road  
 New Paris, OH 45347

PS Form 3800, August 2006

See Reverse for Instructions