





REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

117 South Main Street, Dayton, Ohio 45422-3280

937-255-4435 — Fax: 937-225-3486

www.rapca.org

April 7, 2011

Certified Mail

Mr. Samson M. Bower
803 N. Gettysburg Ave.
Dayton, OH 45417

WARNING LETTER

Dear Mr. Samson:

On April 6, 2011, and April 7, 2011, the Regional Air Pollution Control Agency (RAPCA) received citizen complaints regarding smoke from 803 N. Gettysburg Ave., Dayton OH., from the burn barrel located at the rear of the property. The complainant called 911 and the Dayton Fire Department responded to the call. The Dayton Fire department was contacted and verified that open burning was taking place at the above referenced location. A site visit by RAPCA on April 7, 2011, further verified the open burning that occurred at this property.

The open burning of trash and other material for waste disposal in a restricted area is a violation of Ohio Administrative Code (OAC) and Montgomery County Combined General Health District Air Pollution Control Regulations (MCCGHDAPCR) 3745-19-03. A restricted area is an area within the boundary of any municipal corporation, plus a zone extending one mile beyond any such municipal corporation.

This letter serves as a warning from the Regional Air Pollution Control Agency to cease all open burning in violation of both state and local air pollution control regulations. In the future, alternative means of disposal must be employed.

Failure to comply with the above reference regulations could result in civil and/or criminal penalties as provided for in the Ohio Revised Code Sections 3704.05 and 3707.48.

If you have any questions regarding this matter, you may contact me at (937) 225-4435.

Sincerely,

Jason C. Simon

Air Pollution Control Specialist
Abatement Unit

cc: Dayton Fire Dept.

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St 803 North Gettysburg Ave.
or
C Dayton, Ohio 45417

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