



REGIONAL AIR POLLUTION CONTROL AGENCY

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

117 South Main Street, Dayton, Ohio 45422-3280

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www.rapca.org

August 3, 2011

Certified Mail

Orville L. Morgan, Sr. & Ira F. Morgan
Greater Dayton Moving & Storage, Inc.
3516 Wright Way Road
Dayton, OH 45424

Dear Mr. & Mrs. Morgan,

WARNING LETTER

On July 26, 2011, the Regional Air Pollution Control Agency (RAPCA) received a complaint from the Ohio Environmental Protection Agency (OEPA) regarding open burning occurring on your property at 3516 Wright Way Road in Dayton, Montgomery County, Ohio, also known as "Greater Dayton" Moving & Storage, Inc. RAPCA attempted to perform an onsite inspection of the premises that same day but was denied access to the property by Greater Dayton personnel and told that no open burning had taken place. RAPCA then observed the property from an offsite location on Valley Pike. RAPCA witnessed and photographed ongoing open burning of unknown materials at the far rear (east side) of the property. 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**.
- * Miami County Board of Health Local Air Pollution Control Regulations (MCBHLAPCR) rule: 3745-19-03, **Open Burning in Restricted Areas**.

Pursuant to the above regulations, open burning for disposal purposes is limited to waste classified as **residential** (any waste material, including landscape wastes, generated on a one-, two-, or three family residence as a result of residential activities, but not including garbage) and **agricultural** (waste material generated by crop, horticulture, or livestock production practices). **Commercial waste does not meet either of the above definitions.** Additionally, open burning of residential or agricultural waste (i.e. dry, untreated wood products) for disposal purposes is **not permissible within 1,000 feet of neighboring residences.** The burn site witnessed by RAPCA was within 1,000 feet of several neighboring residences. Furthermore, **items containing rubber, grease, asphalt or petroleum (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.** Finally, **it is unlawful to bring waste generated elsewhere on site to openly burn for the purpose of waste disposal.**

