





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

May 25, 2007

Certified Mail

A. Brown & Sons Nursery, Inc.

Atn: Barbara Brown

11506 St. Route 49

Brookville, Ohio 45354

WARNING LETTER

Dear Mrs. Brown:

On May 24, 2007, the Regional Air Pollution Control Agency (RAPCA) received an incident report from the Phillipsburg Fire Department regarding the open burning of trees and brush on a large scale on your property located at 11555 Arlington Rd., Brooville, OH. A. Brown & Sons Nursery, Inc. did apply for and receive an open burning permit from RAPCA. According to the incident report from the Fire Department, several of the terms and conditions were violated in the open burning permit.

The violated terms included:

1. Burn only in small piles, not larger than 5' x 5' x 5'.
2. Burning hours are from 8:00 a.m. to 4:00 p.m.
3. Maintain all fires in a nuisance-free fashion.
4. Notify the Phillipsburg Fire Department just prior to burning.
5. Only clean, dry wood may be burned.
for May 23, 2007 - September 23, 2007.
10. Burn only when the wind is less than 12 m.p.h.
11. *Open burning on Air Pollution Advisory Days is prohibited.
12. Other: **Burn site must be 1000 feet from neighboring residences**

The violation of these terms 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.

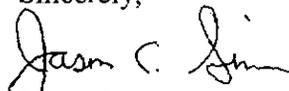
A. Brown & Sons Nursery, Inc.

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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. **Any future burning violations will result in the immediate revoking of all RAPCA issued open burning permits and all may result in enforcement action which may include civil and criminal penalties.**

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: Phillipsburg Fire Department

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Kenda J. Hensch</i></p>
<p>1. Article Addressed to:</p> <p>Barbara Brown A. Brown & Sons Nursery, Inc. 11506 St. Rt. 49 Phillipsburg, OH 45354</p>	<p>B. Received by (Printed Name) C. Date of Delivery <i>Kenda J. Hensch 5-30-07</i></p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No if YES, enter delivery address below: <i>P.O. BOX 427 Phillipsburg OH 45354</i></p>
<p>2. Article Number (Transfer from service label)</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	<p>7004 1160 0000 6164 9852</p>

PS Form 3811, February 2004

Domestic Return Receipt

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Restricted Delivery Fee (Endorsement Required)		
Total		

Sent To: Barbara Brown
A. Brown & Sons Nursery, Inc.

Street, or PO: 11506 St. Rt. 49

City, St: Phillipsburg, OH 45354

PS Form 3800, June 2002 See Reverse for Instructions

7004 1160 0000 6164 9852

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Barbara Brown
 A. Brown & Sons Nursery, Inc.
 11506 St. Rt. 49
 Phillipsburg, OH 45354

2. Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Kenda J. Henson*

Agent

Addressee

B. Received by (Printed Name)

Kenda J. Henson

C. Date of Delivery

5-30-07

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

*P.O. BOX 427
 Phillipsburg OH 45354*

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

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