



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

September 23, 2008

Certified Mail

Mr. Terry L. Brown
4130 Freudenberger Ave.
Dayton, Ohio 45427

WARNING LETTER

Dear Mr. Brown:

On September 12, 2008, the Regional Air Pollution Control Agency (RAPCA) received information and evidence regarding the open burning of insulation, trash, and other debris from 4131 Freudenberger Ave, in Dayton, OH. On September 18, 2008, RAPCA conducted an inspection and documented evidence of open burning behind the address noted above. As the property owner, you are responsible for activities that occur on this property.

Open burning for the purpose of waste disposal was verified behind the property. This activity is in violation of Ohio Administrative Code (OAC) rule 3745-19-03 and Montgomery County Combined General Health District Air Pollution Control Regulations (MCCGHDAPCR) 3745-19-03 Open burning in an restricted area. This rule prohibits the open burning of any material for waste disposal. The open burning of insulation and trash is prohibited in Ohio.

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 further violations of the above mentioned regulations may result in the pursuit of civil and/or criminal penalties as provided in section 3704.06 and 3707.49 of the Ohio Revised Code. If you have any questions or concerns, you may contact me at (937) 225-4435.

Sincerely,

Jason C. Simon
Air Pollution Control Specialist
Abatement Unit

attachment: Official Order

cc: Trotwood Code Enforcement Office
Della Robinson

STATE of OHIO ENVIRONMENTAL PROTECTION AGENCY

By: Regional Air Pollution Control Agency

Montgomery County

OFFICIAL ORDER

Name: Terry L. Brown

Address: 4130 Freudenberger Ave, Dayton, OH

Location of Inspection: 4131 Freudenberger Ave, Dayton, OH

An inspection of your premises has been made and you are Hearby Notified of the following violation(s):

The open burning of insulation, trash, and other debris was documented at this property. This open burning is in violation of Ohio Administrative Code and Montgomery County Combined General Health District Air Pollution Control Regulations 3745-19-03.

This is in violation of the Ohio Administrative Code (OAC) rule section 3745-19-03, and the Montgomery County Combined General Health District Air Pollution Control Regulations (MCCGH D APCR) section 3745-19-03.

You Are Hearby Ordered To:

Cease all open burning in violation of OAC rule section 3745-19-03, and MCCGH D APCR section 3745-19-03.

Time Limitation: Immediate

Authority for Correction: OAC rule and MCCGH D APCR section 3745-19-03; Ohio Revised Code sections 3704.03, 3704.05, and 3707.48.

Service: Personal Posting Ordinary Mail Certified Mail
Person Issued To: Terry L. Brown Position or Title: Property Owner

Date: 09/23/08 Enforcing Agent Signature: Jason C. Simon
Print Name: Jason C. Simon
Time: 9:00 Telephone Number: 937-225-4435

Section 3707.48, O.R.C. "No person shall violate sections 3707.01 to 3707.53, inclusive, of the Revised Code, or any order or regulation of the board of health of a city or general health district made in pursuance thereof, obstruct or interfere with the execution of such order, or willfully or illegally omit to obey such order."

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7007 1490 0004 7509 8029

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

John

Postmark
Here

Total

Sent to
Street or PO
City, State

Mr. Terry L. Brown
4130 Freudenberger Avenue
Dayton, OH 45427

PS Form 3800, August 2006

See Reverse for Instructions