



## 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

December 28, 2007

### CERTIFIED MAIL

Dale Walker  
608 Michigan Ave  
Troy, OH 45373

### WARNING LETTER

Dear Mr. Walker:

On December 27, 2007, the Regional Air Pollution Control Agency (RAPCA), received a complaint and fire incident report from the Troy Fire Department regarding illegal open burning at 238 N. Madison St., Troy, Ohio. The incident report documented that on December 27, 2007, the Troy Fire Department responded to 238 N. Madison St. and found two fires, 8 x 8 feet and 4 x 4 feet in size, of burning building materials from a house that had been demolished. That same day RAPCA performed an inspection and documented that the 8 x 8 foot burn site containing painted wood, shingles, and other building materials. The burn site was located within 1,000 feet of the nearest neighboring property.

Pursuant to Ohio Administrative Code (OAC) rule and Miami County Board of Health Local Pollution Control Regulations (MCBHLAPCR) 3745-19-03, Open burning in restricted areas, open burning for the purpose of waste disposal purposes is prohibited. Additionally, the open burning of petroleum based products such as paint, shingles, and other synthetic materials is prohibited throughout the state of Ohio. The open burning documented in the on December 27, 2007 by RAPCA and the Troy Fire Department is a violation of OAC rule and MCBHLAPCR rule 3745-19-03.

This letter serves as notification to you of the above mentioned violations. You are hereby ordered to cease all illegal open burning activities. Any further actions in violation of the above mentioned rules may result in an enforcement action with civil and/or criminal penalties. If you have any questions, please contact me at 937-225-4004.

Sincerely,

Eileen C. Moran  
Air Pollution Control Specialist

cc: Troy 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:

Dale Walker  
608 Michigan Avenue  
Troy, OH 45373

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature 		<input type="checkbox"/> Agent
		<input checked="" type="checkbox"/> Addressee
B. Received by, (Printed Name) WILLARD D. WALKER	C. Date of Delivery 1-7-08	
D. Is delivery address different from item 1? If YES, enter delivery address below:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

3. Service Type	
<input 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.
4. Restricted Delivery? (Extra Fee)	
<input type="checkbox"/> Yes	

2. Article Number  
(Transfer from service label)

7004 1160 0000 6265 5655

PS Form 3811, February 2004

Domestic Return Receipt

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