



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

April 24, 2008

Mr. Dale Elliot
7590 S. Tipp-Cowlesville Rd.
Tipp City, OH 45371

Dear Mr. Elliot:

WARNING LETTER

On April 16, 2008, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding open burning on the property at 7590 S. Tipp-Cowlesville Road in Tipp City, Ohio. The above property is owned by Lester Littlejohn who is reportedly no longer living at this residence. RAPCA understands that you have been the caretaker of this property.

In response to the above complaint, a RAPCA representative performed an on-site inspection of the premises on April 17, 2008, and documented evidence of open burning. A burn pile, approximately 7' X 4' in size, containing the remains of burned tree limbs, brush and straw, was observed. The burn site was located in a restricted area and less than 1,000 feet from several neighboring homes. 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, the open burning of brush or residential waste for disposal purposes is not permitted in a restricted area or within 1,000 feet of neighboring residences. Due to the location of nearby homes, the distance requirement cannot be met on this property. The regulations do not allow the material to be hauled off site for waste disposal open burning elsewhere.

This letter serves as official notification to cease all open burning in violation of the aforementioned regulations. Any further violations may result in enforcement actions. On April 18, 2008, I spoke with you by phone and discussed the above violation and the applicable regulations. Enclosed for additional information is a pamphlet which summarizes Ohio's open

*This warning letter was
Not sent certified b/c
there is no one living at
this residence/property
(so nobody to sign for letter).*

*Mr. Elliot stated the
property address was the
best place to send letter but
requested I send it via "regular
mail" - he was expecting it. **cas***

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RAPCA appreciates your cooperation in this matter. If you have any questions regarding Ohio's open burning regulations, you can reach me at (937) 496-7541.

Sincerely,

A handwritten signature in black ink, appearing to read "Christine A. Swetz". The signature is fluid and cursive, with the first name being the most prominent.

Christine A. Swetz
Air Pollution Control Specialist
Abatement Unit

cc: Tipp City Fire Department

