



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 29, 2008

CERTIFIED MAIL

William Owens

3602 St. Rt. 49

Arcanum, OH 45304

WARNING LETTER

Dear Mr. Owens:

On May 27, 2008, the Regional Air Pollution Control Agency (RAPCA), received a complaint regarding illegal open burning at 1930 Strichter Rd. On May 27, 2008, RAPCA performed an investigation and found two burn sites - a 5x5 ft site of wood ash and a 3x3 ft burn barrel with wood ash and a small amount of green pine tree limbs. Both sites were within 1,000 ft of the nearest neighboring inhabited residences and it appeared as though several trees had recently been taken down on the property.

Pursuant to Ohio Administrative Code (OAC) rule and the Miami County Board of Health Local Air Pollution Control Regulations (MBCHLAPCR) 3745-19-04, Open burning in unrestricted areas, open burning of residential and yard waste for the purpose of disposal within 1,000 ft of the nearest neighboring inhabited residences is prohibited. This includes, but is not limited to, paper, building materials, wood, leaves, grass, and brush. The open burning regulations do, however, permit recreational fires as long as they are fueled with clean dry wood and the fuel area is less than 3x3x2 ft. The open burning observed on May 27, 2008 - the 5x5 ft burn site and the burning of green material - is a violation of OAC rule and MCBHLAPCR rule 3745-19-04.

This letter serves as notification to you of the above mentioned violations. This is the second notification issued to you. On November 16, 2007, RAPCA investigated a similar complaint and issued Orders to you for the open burning of brush within 1,000 ft of the nearest neighboring inhabited residence. 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.

As stated above, you are permitted to burn recreationally on your property provided that you only burn clean dry wood (i.e., not green and not painted or treated) and the fire is no more than 3x3x2 ft. The recreation burning of any materials other than clean dry wood is a violation of the

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3x3x2 ft. The recreation burning of any materials other than clean dry wood is a violation of the open burning rules. If you have any questions, please contact me at 937-225-4004.

Sincerely,



Eileen C. Moran
Air Pollution Control Specialist

cc: Ludlow Falls 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 type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>William Owens Jr</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery <i>William Owens Jr 6-2-08</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
1. Article Addressed to: William Owens 3602 St Rt 49 Arcanum, OH 45304	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.
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