



## 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

Ronald Brand

9100 S. Bellefontaine Road

New Carlisle, Ohio 45344

Dear Mr. Brand,

### WARNING LETTER

On September 12, 2008, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding the open burning of trash on your property at 9100 S. Bellefontaine Road, Bethel Township, Miami County, Ohio. RAPCA then performed an inspection of the premises on September 22, 2008 and observed a large burn pile, approximately 20' X 15' X 3' in size, containing tree limbs and brush on top of unidentifiable charred remains from prior open burning. The burn site was located in an unrestricted area, within 1,000 feet of several neighboring residences. This open burning is in violation of the following state and local air pollution control regulations:

- \* Ohio Administrative Code (OAC) rule: 3745-19-04, Open Burning in Unrestricted Areas.
- \* Miami County Board of Health Local Air Pollution Control Regulations (MCBHLAPCR) rule: 3745-19-04, Open Burning in Unrestricted Areas.

Pursuant to the above regulations, open burning of residential and landscape waste (i.e. clean, dry wood products) for the purpose of disposal is not permissible within 1,000 feet of neighboring residences. Furthermore, items containing rubber, grease, asphalt or liquid petroleum products (such as plastics) and garbage (any matter resulting from food preparation and/or consumption) are strictly prohibited from being burned anywhere in the state of Ohio. Additionally, it is unlawful to bring waste generated elsewhere on site to openly burn for the purpose of waste disposal.

During the inspection on September 22, 2008, RAPCA representatives explained these open burning regulations to you. This letter serves as official notification to cease all open burning in violation of the aforementioned regulations. RAPCA strongly recommends that you find an alternate means of waste disposal in the future. Any further violations of the regulations will result in enforcement actions against you which could include criminal and/or civil penalties.

RAPCA appreciates your cooperation in this matter. Enclosed is a pamphlet summarizing Ohio's open burning regulations. If you have any questions regarding this information, please call me at (937) 225-4533.

Sincerely,

Lesley A. Jenkins

Air Pollution Control Specialist

cc: Bethel Township Fire Department, Miami County



**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:

Ronald Brand  
9100 S. Bellefontaine Road  
New Carlisle, OH 45344

2. Article Number

*(Transfer from service label)***COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *[Handwritten Signature]*  Agent  
 Addressee

B. Received by *(Printed Name)**R. Brand*

C. Date of Delivery

*8-25*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

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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PS Form 3811, February 2004

Domestic Return Receipt

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