



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

August 19, 2009

Certified Mail

John Yost

3970 W. State Route 571

Troy, OH 45373

Dear Mr. Yost,

WARNING LETTER

On August 18, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding the open burning of an evergreen tree on your property located at 3970 W. State Route 571 in Monroe Township, Miami County, Ohio. RAPCA then conducted an inspection of the premises that same day and observed a burn pile approximately 5'X5' in size containing the smoking remnants of a tree. 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, when conducting open burning for waste disposal purposes (i.e. clean, seasoned wood), the burn site must be at least **1,000 feet** from the nearest inhabited building not on the premises.

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. If you have any questions regarding this information, please call me at (937) 225-4453.

Sincerely,

Lesley A. Jenkins
Air Pollution Control Specialist

cc: Tipp City Fire Department
Miami County Sheriff's Department 201 W. Main Street, Troy, OH 45373

