



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

October 2, 2009

Certified Mail

Jason Wackler
Tuscarora Wood Midwest, LLC
6506 W. US Route 36
Covington, OH 45318

Dear Mr. Wackler,

WARNING LETTER

On September 24, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint from the Southwest District Office of the Ohio Environmental Protection Agency (SWDO OEPA) regarding open burning being conducted at Tuscarora Wood Midwest, LLC, located at 6506 W. US Route 36 in Newberry Township, Miami County, Ohio. RAPCA then performed an inspection of the premises later that same day and observed a large burn pile, approximately 8' X 8' in size, containing remnants of wood beams. 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.
- * Clark County Combined Health District Air Pollution Control Regulations (CCCHDAPCR) rule: 3745-19-04, **Open Burning in Unrestricted Areas**

Pursuant to the above regulations, open burning for disposal purposes is limited to waste classified as residential (any waste material, including landscape wastes, generated on a one-, two-, or three family residence as a result of residential activities, but not including garbage) and agricultural (waste material generated by crop, horticulture, or livestock production practices). Additionally, open burning of residential or agricultural waste (i.e. dry, untreated wood products) for disposal purposes is not permissible within 1,000 feet of neighboring residences. It is not permissible to burn waste generated through commercial business activities.

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) 225-4453.

Sincerely,

Lesley A. Jenkins

Air Pollution Control Specialist

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. 	A. Signature <input checked="" type="checkbox"/>  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: Jason Wackler Tuscarora Wood Midwest, LLC 6506 W. US Route Covington, OH 45318	B. Received by (Printed Name) _____ C. Date of Delivery <u>10/6/09</u> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
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