



REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

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April 1, 2010

Certified Mail

David & Karen Daughenbaugh
10 W. Alley Street
Casstown, OH 45312

Dear Mr. & Mrs. Daughenbaugh,

FINAL WARNING LETTER

On March 26, 2010, The Regional Air Pollution Control Agency (RAPCA) received a complaint regarding the open burning of unknown materials on your property located at 10 W. Alley Street in Casstown, Miami County, Ohio, which create noxious smoke that spreads to neighboring residences. RAPCA then performed an inspection of the premises on March 29, 2010, and observed a large brush/burn pile, approximately 15' X 8' in size, containing brush, tree stumps, coated paper plates and other miscellaneous debris. 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 waste (i.e. dry, untreated wood products) for disposal purposes 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.

The incident described above is the second open burning investigation conducted by RAPCA at this property. RAPCA received a complaint on December 16, 2009, then conducted an investigation on December 21, 2009, and documented several violations of the OAC open burning regulations. RAPCA issued a Warning Letter on February 1, 2010, citing these violations, which was received by you on February 11, 2010.

This letter serves as the second official notification to cease all open burning in violation of the aforementioned regulations. *RAPCA requires 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.**