



REGIONAL AIR POLLUTION CONTROL AGENCY

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

117 South Main Street, Dayton, Ohio 45422-1280

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www.rapca.org

April 5, 2010

Certified Mail

Collins R. Allred

9285 S. State Route 202

Tipp City, OH 45371

Dear Mr. Allred,

WARNING LETTER

On April 1, 2010, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding open burning being conducted on your property at 9285 S. State Route 202 in Bethel Township, Miami County, Ohio. RAPCA conducted an inspection of the premises that same day and observed a large burn pile (approximately 12' X 8' in size) containing trees, hay and metal scraps. The burn site was located in a restricted 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: 3745-19-03,
Open Burning in Restricted Areas.
- * Miami County Board of Health Local Air Pollution Control Regulations (MCBHLAPCR)
rule: 3745-19-03, **Open Burning in Restricted Areas.**

Pursuant to the above regulations, it is not permissible to conduct open burning for waste disposal purposes in a restricted area (in or within 1 mile of the boundary of any municipal corporation having a population of ten thousand persons or more). Additionally, when conducting open burning for residential waste disposal, the burn site must be located at least 1,000 feet from any neighboring residences or inhabited buildings. Furthermore, residential waste is defined as any waste material, including landscape waste, generated as a result of residential activities, but not including garbage. Metal scraps do not meet the definition of residential waste.

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. I've enclosed a summary of 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

cc: Bethel Township Fire Department