



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

May 14, 2010

Certified Mail

William Abshire

115 Vine Street

Ludlow Falls, OH 45339

Dear Mr. Abshire,

WARNING LETTER

This letter serves as follow up to our conversation on May 12, 2010. On May 10, 2010, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding the continual open burning being conducted on your property at 115 Vine Street in Ludlow Falls, Miami County, Ohio. RAPCA conducted an inspection of the premises on May 12, 2010, and observed a circular burn ring, approximately 8' in diameter, containing tree segments and the remains of a recliner chair. 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 waste disposal burns in restricted areas or within 1,000 feet of neighboring residences. Furthermore, items containing rubber, grease, asphalt or liquid petroleum products (such as furniture) and garbage are strictly prohibited from being burned anywhere in the state of Ohio.

As we discussed, recreational fires such as barbecues, campfires and cookouts are permitted at a maximum size of 2' high by 3' wide and must contain untreated, clean, seasoned firewood only. The burn site located on your property was larger than the allowable size for a recreational fire. Recreational fires should also be continuously monitored. **Recreational fires may not be used for disposal purposes to circumvent the OAC Open Burning Regulations.** Please be cognizant of your neighbors and the wind direction/weather conditions if and when conducting a recreational fire to assure that it is maintained in a nuisance-free fashion.

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.

William Abshire
May 14, 2010
Page 2

RAPCA appreciates your cooperation in this matter. The open burning pamphlet I left with you further explains Ohio's 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: Ludlow Falls Fire Department

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:

William Abshire
115 Vine Street
Ludlow Falls, OH 45339

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X *Cara King* Addressee

B. Received by (Printed Name) Date of Delivery
Cara King *5/12/10*

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

3. Service Type Express Mail
 Certified Mail Return Receipt for Merchandise
 Registered C.O.D.
 Insured Mail

4. Restricted Delivery? (Extra Fee) Yes

7008 1300 0001 9323 3624

102595-02-M-1540

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

