





## 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

September 28, 2010

### Certified Mail

Hines Builders, Inc.

PO Box 414

Troy, OH 45373

Dear Owner,

### WARNING LETTER

On September 13, 2010, the Regional Air Pollution Control Agency (RAPCA) received a complaint from the Southwest District Office (SWDO) of the Ohio Environmental Protection Agency (OEPA) regarding the open burning of commercial waste on your property located at 1527 Lytle Road in Concord Township, Miami County, Ohio. RAPCA then performed an inspection of the premises on September 17, 2010 and observed multiple burn piles containing wood building scraps, garbage and miscellaneous plastic and metal debris. The burn site was located in a restricted area, within 1,000 feet of neighboring inhabited buildings. 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.**

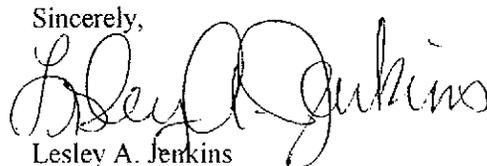
Pursuant to the above regulations, open burning for disposal purposes is limited to waste classified as **residential** (any waste material, including landscape wastes, generated on a one-, two-, or three family residence as a result of residential activities, but not including garbage) and **agricultural** (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. Furthermore, items containing rubber, grease, asphalt or petroleum (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. Finally, it is unlawful to bring waste generated elsewhere on site to openly burn for the purpose of waste disposal.

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.



Hines Builders, Inc.  
September 28, 2010  
Page 2

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: Matt Simmons, Troy Fire Department  
Jim Crawford, SWDO OEPA

| SENDER: COMPLETE THIS SECTION  |  | COMPLETE THIS SECTION ON DELIVERY  |  |
|--|--|--|--|
| <ul style="list-style-type: none"><li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul> |  | <p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Roger Mumpower</u></p> <p>C. Date of Delivery <u>9-29-10</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br/>If YES, enter delivery address below:</p> |  |
| 1. Article Addressed to:<br><br>Hines Builders, Inc.<br>PO Box 414<br>Troy, Ohio 45373   |  | 3. Service Type<br><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.   |  |
| 2. Article Number<br>(Transfer from service label) <u>7002 0510 0000 7312 0581</u>   |  | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes   |  |

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

