



REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties
117 South Main Street, Dayton, Ohio 45422-3280
937-225-4435 — Fax: 937-225-3486
www.rapca.org

June 30, 2011

Dan Hayes
3520 St Rt 49.

Certified Mail

Mr. Ralph Brumbaugh
Brumbaugh Construction Inc.
Arcanum, OH 45304

WARNING LETTER

Dear Mr. Brumbaugh:

On June 29, 2011, the Regional Air Pollution Control Agency (RAPCA) received an incident report from the Casstown Fire Department regarding the open burning of treated wood and brush from the demolition of a bridge on Rugged Hill Road, approximately 200 feet north of State Route 55 near Casstown, OH. The incident report states that brush and deck boards treated with creosote were being burned in two different locations and creating black smoke. The open burning of this material for waste disposal in an unrestricted area is a violation of Ohio Administrative Code (OAC) and Miami County Board of Health Local Air Pollution Control Regulations (MCBHLAPCR) 3745-19-04. An unrestricted area is an area outside of the boundary of any municipal corporation, plus a zone extending one mile beyond any such municipal corporation.

This letter serves as a warning from the Regional Air Pollution Control Agency to cease all open burning in violation of both state and local air pollution control regulations. In the future, alternative means of disposal must be employed.

Failure to comply with the above reference regulations could result in civil and/or criminal penalties as provided for in the Ohio Revised Code Sections 3704.05 and 3707.48.

A summary of Ohio's Open Burning Regulations is included for your review. If you have any questions regarding this matter, you may contact me or Lesley Jenkins at (937) 225-4435.

Sincerely,

Jason C. Simon
Air Pollution Control Specialist
Abatement Unit

cc: Casstown Fire Dept.

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<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"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Mr. Ralph Brumbaugh Brumbaugh Construction, Inc. PO Box 309 Arcanum, OH 45304	B. Received by (Printed Name) <i>Scott Myers</i>	C. Date of Delivery 7-1-11
2. Article Number (Transfer from service label)	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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PS Form 3811, February 2004

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PS Form 3800, August 2006 See Reverse for Instructions

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