



## 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

November 4, 2009

### Certified Mail

Terry L. Minton  
Dalton Maintenance, Inc.  
4874 Arabian Drive  
Fairborn, OH 45324

Dear Mr. Minton,

### WARNING LETTER

On October 8, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint from the Southwest District Office of the Ohio Environmental Protection Agency (SWDO OEPA), whose personnel witnessed open burning being conducted on your property at 3055 Spangler Road in Bethel Township, Clark County, Ohio. 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 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. It is not permissible to burn waste generated through commercial business activities.

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. If you have any questions regarding this information, please call me at (937) 225-4453.

Sincerely,

Lesley A. Jenkins

Air Pollution Control Specialist

**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:

Terry L. Minton  
 Dalton Maintenance, Inc.  
 4874 Arabian Drive  
 Fairborn, OH 45324

2. Article Number  
 (Transfer from service label)

7008 1830 0003 0181 3584

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

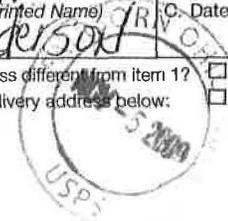
*Stacey Henderson*

- Agent  
 Addressee

B. Received by (Printed Name)

Stacey Henderson

C. Date of Delivery



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

3. Service Type

- Certified Mail     Express Mail  
 Registered       Return Receipt for Merchandise  
 Insured Mail       C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

U.S. Postal Service™

**CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7008 1830 0003 0181 3584

Postage \$

Certified Fee

Return Receipt Fee  
(Endorsement Required)

Restricted Delivery Fee  
(Endorsement Required)

Postmark  
Here

Terry L. Minton  
 Dalton Maintenance, Inc.  
 4874 Arabian Drive  
 Fairborn, OH 45324

Se  
St  
or  
Ch