



## 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 29, 2009

Certified Mail

Steven & Debra Moore

1297 Dayton Yellow Springs Rd

Xenia, OH 45385

Dear Mr. & Mrs. Moore:

### WARNING LETTER

On May 28, 2009, the Regional Air Pollution Control Agency (RAPCA) received a complaint that open burning of trash, including wood, metal and insulation had taken place on a parcel of property adjacent to 1297 Dayton Yellow Springs Road (Parcel ID A01-0002-0025-0-0033-00) in Bath Township, Greene County, Ohio. The complainant stated that you were the responsible party for the open burning that had occurred. RAPCA performed an on-site inspection of the property on May 28, 2009 and observed a burn site, approximately 5 to 6 feet in diameter, containing the burned remains of residential waste materials including wood waste, insulation, miscellaneous metal, a plastic coated electrical cord, and paper. This burn site was located in a restricted area.

Pursuant to Ohio Administrative Code (OAC) rule and Greene County Board of Health Air Pollution Control Regulations (GCBHAPCR) section 3745-19-03, Open Burning in Restricted Areas, open burning for residential waste disposal purposes is prohibited in any area within the boundary of any municipal corporation, such as the city of Fairborn, plus a zone extending one mile beyond any such municipality with a population of ten thousand persons or more. Upon research conducted by RAPCA, we have determined that this location is within one mile of Fairborn city limits and therefore open burning for residential waste disposal purposes is prohibited. In addition, items that can never be burned, anywhere in the state of Ohio, include items that contain rubber, grease, asphalt or that are made from liquid petroleum products, such as plastics, coated wood, carpeting, foam and insulation.

The open burning which has occurred, due to the above stated reasons, is in violation of OAC rule and GCBHAPCR section 3745-19-03. This letter serves as official notification from RAPCA to cease all open burning activities in violation of state and local air regulations. **RAPCA requires that any remaining waste on this property be disposed of in a manner which is in compliance with all air and solid waste regulations.** Any further violations of the air regulations will result in further enforcement actions against you, which include possible criminal and/or civil penalties.

Enclosed with this letter is a Summary Sheet of Ohio's Open Burning Regulations. If you have any questions regarding these regulations, feel free to contact me at (937) 225-5923.

Sincerely,

Brandie K. Lehman

Air Pollution Control Specialist

CERTIFIED MAIL™

REGIONAL AIR POLLUTION CONTROL AGENCY  
1297 Main Street  
Xenia, Ohio 45422-1280



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0004385214 MAY 29 2009  
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RECEIVED  
JUN 22 2009  
REGIONAL AIR POLLUTION CONTROL

*Debra Moore*

Steven & Debra Moore  
1297 Dayton Yellow Springs Road  
Xenia, OH 45385

MAILED MAY 30 2009  
1st Notice  
6/15

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June 22, 2009

Steven & Debra Moore  
1297 Dayton Yellow Springs Road  
Xenia, OH 45385

RE: Open Burning Warning Letter dated May 29, 2009

Dear Mr. & Mrs. Moore:

The Regional Air Pollution Control Agency (RAPCA) issued a warning letter on May 29, 2009, to your attention, for open burning violations that occurred on a parcel of property adjacent to 1297 Dayton Yellow Springs Road (Parcel ID A01-0002-0025-0-0033-00) in Bath Township, Greene County, Ohio. This letter was sent via certified mail on May 29, 2009 and was returned to RAPCA, unclaimed, on June 22, 2009.

The above referenced warning letter is attached. RAPCA believes the open burning violations discussed in the May 29, 2009 warning letter to be a serious matter and requires that upon receipt of this letter and the attached warning letter, all open burning activities in violation of the state and local air regulations cease.

RAPCA appreciates your cooperation. If you have any questions regarding this matter, feel free to contact me at (937) 225-5923.

Sincerely,

Brandie K. Lehman

Air Pollution Control Specialist

Enclosure