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

May 7, 2013

Certified Mail
Mr. Stan Scott
185 Dye Mill Road
Troy, Ohio 45373

WARNING LETTER

Dear Mr. Scott:

On April 27, 2013, , the Regional Air Pollution Control Agency (RAPCA) was contacted by the Troy Fire Department regarding the frequent open burning of rubbish ,construction waste, and telephone poles, and other debris at 185 Dye Mill Road, Troy, Ohio. RAPCA conducted a site inspection on May 2, 2013, and visually verified and documented that this location was the site of previous open burnings of treated wood, cardboard, carpet, aerosol cans and other misc. debris. RAPCA also visually verified and documented that the current unburned pile contained these items. A RAPCA representative verbally notified you that the open burning for the purpose of waste disposal in a restricted area is strictly prohibited.

This open burning is a violation of the following state and local air pollution control regulations:

1) Ohio Administrative Code (OAC) rule: 3745-19-03, Open Burning in a Restricted Area.

2) Miami County Board of Health Local Air Pollution Control Regulations (MCBHLAPCR) rule: 3745-19-03, Open Burning in a Restricted Area.

3) Revised Code 3704.05(A).

Pursuant to the above regulations, the open burning of treated wood, wire, and other misc. debris is strictly prohibited.

This letter serves as an official notification of the aforementioned violations from the Regional Air Pollution Control Agency. You are to immediately cease all open burning in violation of both state and local air pollution control regulations. RAPCA believes the above open burning to be a serious matter and requires that, within 14 days of receipt of this letter, you submit a written compliance plan containing a commitment to maintain compliance with all open burning and solid waste regulations in the future. **An alternate means of disposal must be used.**

Any future illegal burning may result in enforcement action against you, the property owner, which may include civil and/or criminal penalties.

I have enclosed an Ohio's Open Burning Regulations summary for your review. If you have any questions regarding this matter, you may contact me at 937-496-7541.

If you have any questions regarding this matter, or Ohio's open burning regulations, please contact Jason Simon at (937) 496-6751

Sincerely,

Jason C. Simon
Air Pollution Control Specialist
Regional Air Pollution Control Agency

cc: Chief Chris Boehringer, Troy Fire Department
Chris Cook, Miami County Public Health

Enclosure: Ohio Open Burning Regulation Summary