



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

August 8, 2013

Certified Mail

Mr. Gary Hines
1343 Garringer Rd.
Jamestown, OH 45335

WARNING LETTER

Mr. Hines,

On August 5, 2013, the Silvercreek Twp. Fire Department was dispatched to 1343 Garringer Rd., Jamestown, Greene County, Ohio, in response to an illegal open burn. The Fire Department's response and investigation found items that included tires, a manure spreader, and other debris. The open burning of tires (petroleum product) and other debris that occurred is a violation of state and local air pollution control regulations. As the property owner and individual responsible for the fire, you are hereby notified of these findings and ordered to cease all unauthorized open burning activities.

Pursuant to Ohio Administrative Code (OAC) Regulation section 3745-19-04, **Open Burning in Unrestricted Areas** and Greene County Board of Health Air Pollution Control Regulations (GCBHAPCR) 3745-19-04, the open burning of petroleum products for waste disposal is strictly prohibited in the state of Ohio. The open burning that has occurred at this property is a violation of OAC rule 3745-19-04 and Revised Code (ORC) 3704.05.

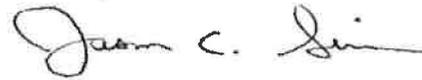
This letter serves as official notification of the aforementioned violations and to cease all unauthorized open burning activities immediately. RAPCA believes the above open burning to be a serious matter and requires that, within 14 days of receipt of this letter, you submit a written commitment to maintain compliance with all open burning regulations in the future. This commitment shall include a plan for disposing of any the remaining tires and other impermissible waste materials. The manner of waste disposal shall comply with all applicable air and solid waste regulations.

Acceptance of this compliance plan by RAPCA does not constitute a waiver of the Ohio EPA's and RAPCA's authority to seek civil penalties as provided in sections 3704.06 and 3707.49 of the Ohio Revised Code. The determination whether to pursue or not to pursue such penalties will be made by the Ohio EPA and RAPCA at a later date.

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RAPCA anticipates and appreciates your cooperation. If you have any questions regarding this matter, Ohio's open burning regulations, feel free to contact Jason Simon at (937) 496-6751.

Sincerely,

A handwritten signature in black ink that reads "Jason C. Simon". The signature is fluid and cursive, with the first name "Jason" being the most prominent.

Jason C. Simon
Enforcement Group, Abatement Unit
Regional Air Pollution Control Agency

cc: Silvercreek Twp. Fire Dept. (via email)
Greene County Health Dept. (via email)

Attachments: Ohio's Open Burning Regulations