



REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties
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April 30, 2012

Certified Mail

Mr. Tim Bang
Bang Excavating
7915 New Harrison-Bradford Rd.
Bradford, OH 45308

Dear Mr. Bang,

WARNING LETTER

On April 19, 2012, the Regional Air Pollution Control Agency (RAPCA) received a complaint regarding the open burning of material from a house being demolished at 8965 State Route 571 in Franklin Township, Darke County Ohio. In response to this complaint, a RAPCA representative performed an inspection of the property and observed evidence of the open burning of materials from an old two-story brick farmhouse. A large pit was observed to the rear of the property, approximately 15' x 25' X 10' in size, containing the remains of burned structural materials, including metals, wood, shingles, wires and other miscellaneous building debris. The burn site was located within 500 feet of numerous neighboring homes. The Pittsburg Fire Department had responded to the scene and extinguished the fire prior to RAPCA's arrival on April 19, 2012.

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.
- * Darke County Board of Health Air Pollution Control Regulations (DCBHAPCR) rule: 3745-19-04, Open Burning in Unrestricted Areas.
- * Ohio Revised Code 3704.05 (G)

Pursuant to the above regulations, the open burning of materials containing rubber, grease, asphalt or liquid petroleum products is strictly prohibited in Ohio. The open burning of structural materials from residential and commercial buildings (including houses, garages, barns, sheds/out-buildings) is NOT permissible. The open burning of any approved material (i.e. clean dry wood/brush) for waste disposal is not permissible within 1,000 feet of a neighboring residence. Additionally, with limited exceptions, contractors and businesses are not permitted to open burn for waste disposal.

At the time of RAPCA's inspection, you identified yourself as the contractor responsible for the demolition and open burning. An Official Order for the above violations was issued to you

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during RAPCA's inspection and the open burning rules were explained. This letter serves as official notification of the aforementioned violations. RAPCA strongly suggests that you find an alternate means of disposal which complies with all air and solid waste regulations. Any future open burning violations may result in enforcement actions against you including civil penalties.

RAPCA appreciates your cooperation during the April 19 investigation. If you have any questions regarding this information or Ohio's open burning regulations, please feel free to contact me at (937) 496-7541.

Sincerely,



Christine A. Swetz
Air Pollution Control Specialist

cc: Chief Tal Mong, Pittsburg Fire Department
Roberta Mangen, Darke County General Health District
Virginia Cox, Barbara Brumbaugh & John Cox, Property Trustees