



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

July 22, 2013

Certified Mail

Mr. Bob Bach
Bach's Body Shop
5520 West Third St.
Dayton, OH 45427

Warning Letter

Dear Mr. Bach:

On July 5, 2013, the Regional Air Pollution Control Agency (RAPCA) received a report from the Montgomery County Sherriff's office regarding smoke and odors from the rear of the property at Bach's Body Shop, 5520 West Third Street, Dayton, Montgomery County, Ohio. The incident report from the Sherriff's office documented several burn barrels containing gallon paint and aerosol cans, plastic material and other rubbish being actively burned on June 27, 2013 at approximately 4:22 pm. RAPCA also understands that the Jefferson Twp. Fire Department responded to this complaint on June 27, 2013.

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 Restricted Areas.
- 2) Montgomery County Combined General Health District Air Pollution Control Regulations (MCCGHDAPCR) rule: 3745-19-03, Open Burning in Restricted Areas.

Pursuant to the aforementioned regulations, the open burning of materials containing rubber, grease, asphalt, liquid petroleum products and plastics is

Page 2

Mr. Bob Bach

July 22, 2013

strictly prohibited in Ohio. Furthermore, businesses are not permitted to burn any type of material for waste disposal. Therefore, NO open burning for waste disposal is permissible on this property. Additionally, please note that it is not permissible to open burn material for waste disposal that has been transported from another property.

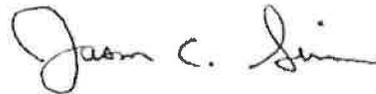
This letter serves as an official notification from the Regional Air Pollution Control Agency to cease all open burning in violation of both state and local air pollution control regulations.

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 commitment to maintain compliance with all open burning regulations in the future. This commitment shall include a detailed plan for disposing of any of the remaining waste materials that were intended to be burned and removing the burn barrels from the property. The manner of waste disposal shall comply with all applicable air and solid waste regulations.

In the future, alternative means of disposal must be employed. Any future illegal burning will result in enforcement action against you which may include civil and/or criminal penalties.

If you have any questions regarding this matter, you may contact me at 937-496-6751.

Sincerely,



Jason C. Simon
Air Pollution Control Specialist
Abatement Unit

CC: Jefferson Twp. Fire Dept. (Chief Mann)
Montgomery County Sherriff's Office (Deputy Dingee)
RAPCA (Jeff Canan via email)