

COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

**NOTICE OF VIOLATION**

**August 11, 2022**

**CERTIFIED MAIL - 9489 0090 0027 6045 1973 81**

Shields Asphalt Paving, Inc.  
5969 William Flynn Highway  
Bakerstown, PA 15044

**RE: Notice of Violation # 220803 – Violations of Article XXI (“Air Pollution Control”) at property 5969 William Flynn Highway, Bakerstown, PA 15044.**

Dear Sir or Madam,

On November 25, 2020, the Allegheny County Health Department (ACHD) received a complaint regarding open burning at 5969 William Flynn Highway, Bakerstown, PA 15044. Shields Asphalt Paving, Inc. (Shields Paving) operates the Gibsonia office of their paving company at 5969 William Flynn Highway, Bakerstown, PA 15044. ACHD met with Shields Paving representatives and performed an inspection at 5969 William Flynn Highway, Bakerstown, PA 15007. An active burn area that included felled trees in excess of 15 feet long was observed during the inspection. Shields Paving did not hold an ACHD open burning permit at the time of the inspection. Shields Paving representatives initiated the extinguishment of the fire during the inspection.

Please allow this correspondence to serve as notice to Shields Paving of the following violation (s) of the Allegheny County Health Department Rules and Regulations, Article XXI (“Air Pollution Control”):

- a. **Article XXI § 2105.50.a.1.B:** Volume of material being burned shall no larger than 3’ wide x 3’ long x 2’ high.



DEBRA BOGEN, MD, DIRECTOR  
**ALLEGHENY COUNTY HEALTH DEPARTMENT**  
**AIR QUALITY PROGRAM**  
301 39<sup>TH</sup> STREET • CLACK HEALTH CENTER • BUILDING 7  
PITTSBURGH, PA 15201-1811  
PHONE (412) 578-8103 • FAX (412) 578-8144  
24-HR (412) 687-ACHD (2243)  
[WWW.ALLEGHENYCOUNTY.US/HEALTHDEPARTMENT](http://WWW.ALLEGHENYCOUNTY.US/HEALTHDEPARTMENT)



**This Notice of Violation is neither an order nor any other final action of the Allegheny County Health Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the ACHD determines that an enforcement action is appropriate, you will be notified of the action. Please be aware that any violation of the Article XXI regulations subjects a person to a variety of enforcement actions, including a civil penalty of up to \$25,000 per violation per day.**

The Allegheny County Health Department has determined that no further action is required. If you believe any of the facts in this Notice of Violation are in error, you may submit information to [AQReports@AlleghenyCounty.US](mailto:AQReports@AlleghenyCounty.US). The ACHD will consider new information you submit and take appropriate action. Thank you for your anticipated prompt attention to this matter.

Sincerely,



Dean DeLuca, Program Manager  
Air Quality Program

cc: Cali Feeney, AQ Administrator, Air Quality Program  
File