

# Air Pollution Control Division

**Ohio** | Environmental  
Protection Agency  
APC Contractual Representative  
Serving All of Stark County

## Canton City Health Department

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**Terri A. Dzienis**  
APCD Administrator

**James M. Adams, RS, MPH**  
Health Commissioner

### CERTIFIED MAIL

Mr. Timothy Weston  
802 Greenfield Ave SW  
Canton, OH 44706-1314

November 29, 2011

**Re: ILLEGAL OPEN BURNING MCKINLEY TOWNSHIP**

The Canton City Health Department, Air Pollution Control Division (APCD) represents the Ohio EPA in air quality matters within Stark County. As such, APCD employees have the authority to investigate and enforce Ohio EPA (OEPA) air pollution regulations.

On Tuesday, October 25, 2011 Canton Fire Department Engine 8 responded to your residence at 2357 hrs. The fire department reported that they found a bonfire in the back yard. They reported clothes and a tarp burning also. No one answered the door, so the fire department extinguished the fire and left.

When I was there on 11/23/11, I observed and photographed evidence of past open burning in violation of Ohio EPA regulations. It appeared that some kind of shingles had been burned and at least one object containing metal strapping. I also observed an outdoor fireplace with evidence of past open burning of what appeared to be electronic products.

At the time of my visit, we discussed the situation and you advised me that you were not the source of this burning. For future reference, if you know of the source of the fire, please advise them that burning for waste disposal at your residence is a violation of Ohio Administrative Code Rule 3745-19-03.

Open burning is permitted by the Ohio EPA for recreational fires such as those for campfires or outdoor cooking such as you might do in the outdoor fireplace. I enclose a copy of OAC Rule 3745-19-03. Please be advised that the city also has ordinances governing recreational fires. I enclose also a copy of the city rules.

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By copy to Mr. Kevin Frank, he is advised that property owners can be held liable for the violations of residents.

Sincerely,

Gregory A. Clark, CHMM, CAHES  
Air Pollution Control Engineer

Enclosure: OAC 3745-19-03; Canton Recreational Fire Rules

cc: Addressee Via First Class Mail  
Mr. Kevin Frank, 1189 Sprucewood St SE, North Canton OH 44720  
Canton Fire Department, 110 7th Street S.W. Canton, OH 44702  
Correspondence  
Complaints File, Open Burning, McKinley Township  
GA Clark