

# Air Pollution Control Division

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

## Canton City Health Department

420 Market Avenue North • Canton, Ohio • 44702-1544  
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Terri Dzienis  
APCD Administrator

James M. Adams, RS, MPH  
Health Commissioner

### CERTIFIED MAIL

December 9, 2011

Mr. George Heitger  
2815 Manchester Ave NW  
North Lawrence, OH 44666-9450

**Re: Open burning at your property on July 6, 2011: Notice of Violation of OAC Rule 3745-19-04**

Dear Mr. Heitger:

I was at your residence on December 7, 2011 to investigate a reported open burning violation and have concluded that the fires were in violation of Ohio EPA regulations, specifically Ohio Administrative Code 3745-19-04.

You are located in an unrestricted area, which does allow for the burning of household waste (but not chemicals or garbage). However, there are restrictions, one of which requires that the fire be at least one thousand feet from the nearest occupied residence not on your property. *Your fire was a violation of OAC rule 3745-19-04 (B) (3) (c).*

Another restriction is that the fire cannot contain rubber. There were several shoes in the burn pile which appeared to have rubber soles. *This constituted a violation of OAC rule 3745-19-04 (B) (3) (e).*

As we discussed over the telephone, open burning is allowed for recreational fires, such as cookouts. The stipulations for these fires are contained in OAC Rule 3475-19-04 (B) (2).

George Heitger  
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**Requested Action:**

**This Agency therefore requests the ceasing of all such illegal fires occurring on your property and/or being conducted by you or others.**

There is no further enforcement planned at this time. However, please note that any further open burning violations could result in legal action by Ohio EPA.

This Agency would appreciate your cooperation with regard to this matter. Should you have any questions concerning this letter or the open burning regulations, please contact me at (330) 489-3385.

Sincerely,



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

Enclosure: Photographs; OAC rule 3745-19-04

pc: Addressee via First Class Mail  
North Lawrence Volunteer Fire Dept., PO Box 230, North Lawrence OH 44666-0230  
Tom Kalman, Ohio EPA, P.O. Box 1049, Columbus, OH 43216-1049  
Correspondence  
Complaints, Open Burn, Tuscarawas Township  
GA Clark