

# 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

Rick Dalton  
1933 Harrisburg Rd NE  
Canton OH 44705-2127

April 17, 2012

**Re: ILLEGAL OPEN BURNING IN 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 Monday, April 16, 2012 I was at your residence at 1933 Harrisburg Road NE and documented a fire for waste disposal. The Fire Department had been there and extinguished the fire on April 12, 2012. They reported a bonfire containing tires, a section of utility pole, and other debris. All this material was still in evidence at the time of my visit.

Please be aware that burning for waste disposal in Canton is a violation of Ohio EPA regulations and the Canton City Ordinance on recreational fires. Also, I inform you that burning of tires is especially unhealthful because of the numerous toxic gaseous byproducts when tires are burnt in the open. Also, please know that the utility pole may have been treated with creosote, the combustion of which is another source of toxic gaseous byproducts.

By copy of this letter to Mr. Thomas M. Bernabei, he is advised that property owners can be held liable for the actions of others on their property.

Please ensure that any further open fires on this location are in conformance with Ohio Administrative Code Rule 3745-19-03 and the Canton ordinance, which I enclose.

Sincerely,



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

Enclosure: OAC 3745-19-03, Canton Ordinance 1513, Photos.

cc: Addressee Via First Class Mail  
Mr. Thomas M. Bernabei, 2745 Dunkeith Dr. NW, Canton OH 44708  
Mr. Frank Morris, Canton City Council  
Canton Fire Department  
Correspondence  
Complaints File, Open Burning, McKinley Township  
GA Clark