

Cummes

# 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  
(330) 489-3385 • Fax: (330) 489-3335

Terri Dzienis  
APCD Interim Administrator

James M. Adams, RS, MPH  
Health Commissioner

### CERTIFIED MAIL

July 14, 2011

Mr. Robert Morris  
3330 Genoa Ave SW  
Canton, OH 44706

**Re: Open burning at your property on July 6, 2011: Notice of Violation of OAC Rule  
3745-19-03**

Dear Mr. Morris:

Recently, this office received a report from the Perry Township Fire Department of their response to multiple fires occurring on your property on July 6, 2011. Based on their report, this burning appeared to have been conducted in violation of Ohio EPA regulations. Subsequently, I was at your residence on July 12, 2011 to investigate this issue and have concluded that the fires were in violation of Ohio EPA regulations, specifically Ohio Administrative Code 3745-19-03 which prohibits open burning for waste disposal in restricted areas.

Because you are located in a restricted area, open burning is prohibited except for very specific and minimal allowances with special conditions. Please see the enclosed Ohio Administrative Code ("OAC") rule 3745-19-03. You will see that open burning is allowed for some purposes, such as occupational needs, recreational purposes, and fire extinguisher training. *Your fire was a violation of OAC rule 3745-19-03 (A) because there is no provision for burning of waste material in restricted areas. Your fire was for disposal of waste material which consisted of cardboard, wood, plastic, aluminum, and at least one steel heating register.*

Robert Morris  
July 14, 2011  
Page 2 of 2

**Requested Action:**

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

Please note that any further open burning violations could result in legal action by Ohio EPA or the local prosecutor's office.

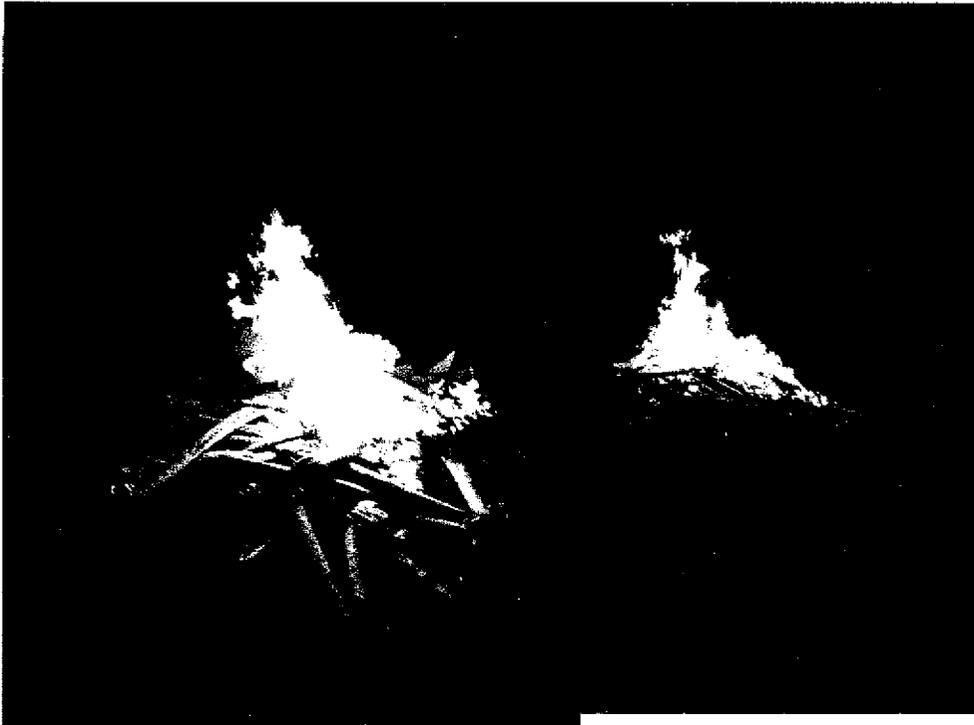
This Agency would appreciate your cooperation with regard to this matter. Should you have any questions concerning this letter or the open burning regulations, please contact me at (330) 489-3385.

Sincerely,

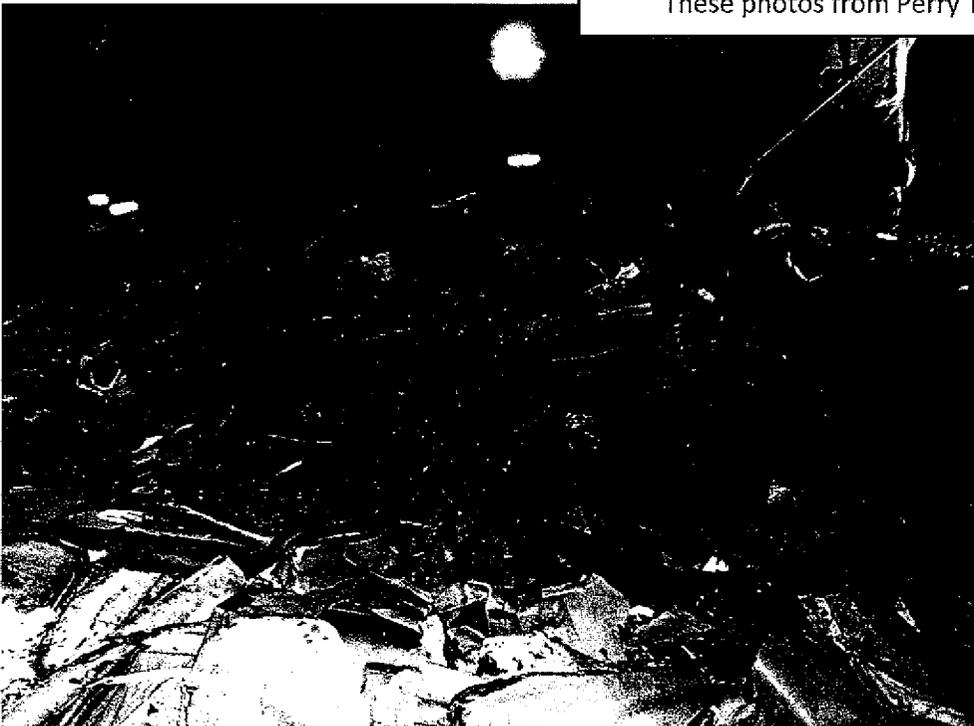
  
Gregory A. Clark, CAHES, CHMM  
Air Pollution Control Engineer

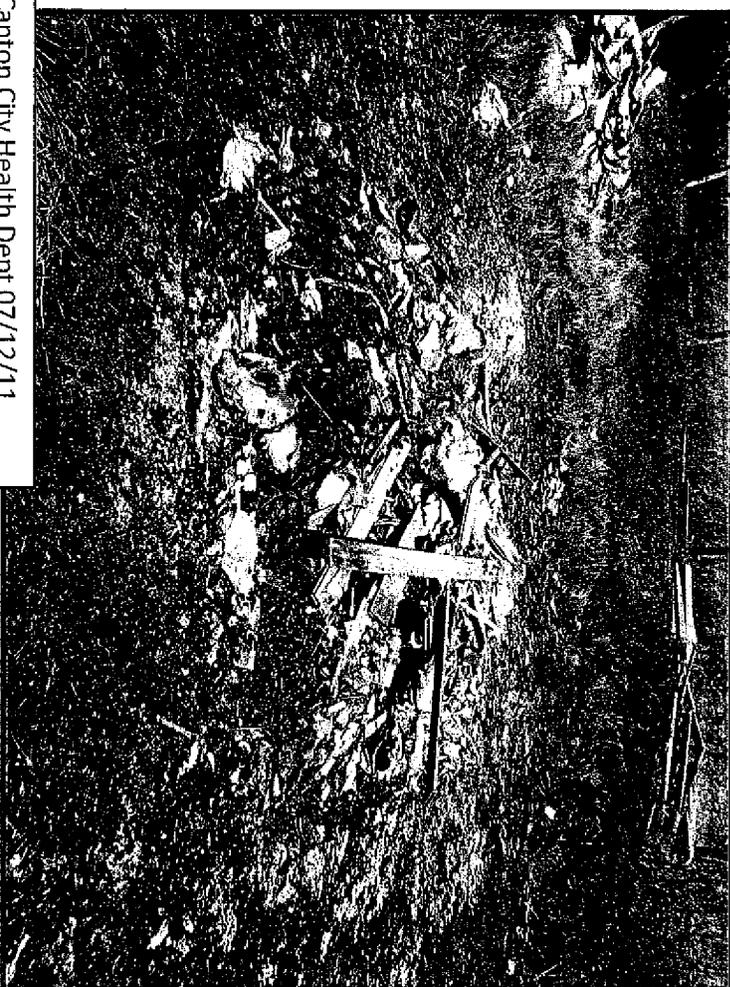
Enclosure: Photographs; OAC rule 3745-19-03

pc: Addressee via First Class Mail  
Mark Abbott, Perry Township Fire Dept, 440 Canford Ave NW, Massillon OH 44646  
Tom Kalman, Ohio EPA, P .O. Box 1049, Columbus, OH 43216-1049  
Correspondence  
Complaints, Open Burn, Perry Township  
GA Clark



These photos from Perry Township Fire Dept 07/06/11





These photos by GA Clark of the Canton City Health Dept 07/12/11

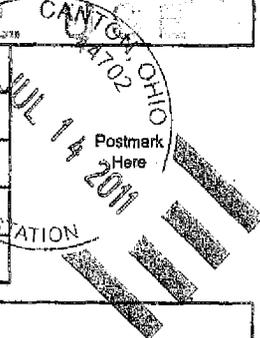


U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL MAIL

Postage	\$ .44
Certified Fee	2.85
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.59



6485 0862 2980 5849  
7070 1060 0002 2980 0907 0702

Sent To **MR ROBERT MORRIS**  
Street, Apt. No.,  
or PO Box No. **3330 GENOA AVE SW**  
City, State, ZIP+4 **CANTON OH 44706**

PS Form 3800, August 2008 (See Reverse for Instructions)

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR ROBERT MORRIS  
3330 GENOA AVE SW  
CANTON OH 44706

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (*Printed Name*)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail  C.O.D.

4. Restricted Delivery? (*Extra Fee*)

Yes

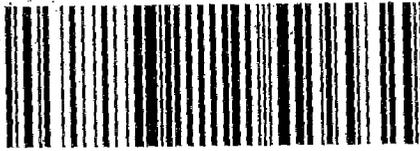
2. Article Number

(*Transfer from service label*)

7010 1060 0002 2980 5849

Canton City Health Department  
Air Pollution Control Division  
420 Market Avenue, North  
Canton, OH. 44702-1544  
RETURN RECEIPT REQUESTED

**CERTIFIED MAIL**



7010 1060 0002 2980 5849

neopost  
07/14/2011

US POSTAGE

\$05.59<sup>00</sup>



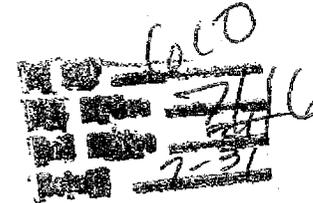
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**RECEIVED**

**AUG 05 2011**

CANTON CITY HEALTH DEPT.  
AIR POLLUTION DIVISION

MR ROBERT MORRIS  
3330 GENOA AVE SW  
CANTON OH 44706



NIXIE 443 DE 1 00 08/04/11

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 44702154420 \*0232-05985-14-44

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