

Air Pollution Control Division

Canton City Health Department



APC Contractual Representative
Serving All of Stark County

420 Market Avenue North • Canton, Ohio • 44702-1544
(330) 489-3385 • Fax: (330) 489-3335

James M. Adams, R.S., MPH
Health Commissioner

Daniel J. Aleman
APCD Administrator

CERTIFIED MAIL

Friday, February 15, 2008

MR. JEFFREY A. WEISGARBER
MRS. JANETTE L. WEISGARBER
11235 PORTLAND AVE SW
BEACH CITY, OH 44608-9736
(330) 756-2601

COPY

Re: NOTICE OF VIOLATION OF OHIO ADMINISTRATIVE CODE 3745-15-07; AIR POLLUTION NUISANCES PROHIBITED.

Dear Mr. and Mrs. Weisgarber:

On Friday, January 09, 2008 at 9:30 AM, I inspected your residence and the outdoor wood-burning appliance at the rear of your property. You are currently using natural untreated as fuel. **It is the recommendation of this Agency to use seasoned natural wood.** According to woodheat.org, "Burning wet wood is one of the two top barriers to pleasurable, efficient wood-burning (the other is bad chimneys). Your wood heater can only operate with high efficiency and low emissions if your fuel wood has about the right moisture content. Properly seasoned firewood has moisture content of less than 20 per cent and is a pleasure to use." Please refer to attachment from woodheat.org.

Upon inspection, I did not find evidence of waste disposal. Only use those listed fuels recommended by the manufacturer of your unit. Never use the following: trash, plastics, gasoline, rubber, naphtha, and household garbage, material treated with petroleum products (particle board, railroad ties and pressure treated wood), leaves, paper products and cardboard.

Currently the Ohio EPA does not prohibit the installation and use of wood-fired outdoor furnaces for the purposes of creating heat and/or hot-water for residential use on the property. However, good operating practice mandates that these devices do not emit significant quantities of smoke and/or odor. Moreover, your appliance may be subject to a federal regulation, the USEPA Federal New Source Performance Standard AAA on New Residential Wood Heaters. This regulation states that applicable wood-burning appliances must be installed and operated in a manner consistent with the owner's manual [40 CFR 60.538 (f)]. In any case, please review your owner's manual and ensure that your heater's installation and operation is consistent with that document.

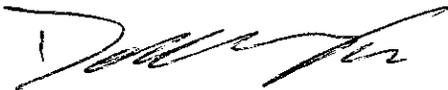
The Ohio Administrative Code 3745-15-07 states that air pollution nuisances are prohibited.

- A) Except as provided in paragraph (B) of this rule, the emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property, is hereby found and declared to be a public nuisance. It shall be unlawful for any person to cause, permit or maintain any such public nuisance.
- B) Those sources of odors not subject to regulation under Chapter 3745-17, 3745-18, 3745-21 or 3745-31 of the Administrative Code shall not be subject to this rule.

Your appliance may be subject to zoning laws in your township and or city. Please check with your zoning administrator to ensure that you are in compliance with any such regulations.

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

Sincerely,



Denny Tan

Staff Field Inspector
Air Pollution Control Division
Canton City Health Department

Enc:

- 1) Canton City Health Department, Air Pollution Control Division, Recommendations on Outdoor Wood Burning Furnaces
- 2) OAC 3745-15-07 Air pollution nuisances prohibited.
- 3) "The fuel is the thing" from woodheat.org

Pc:

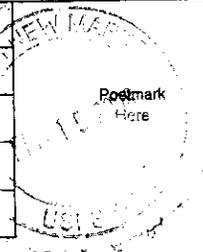
- 1) Addressee via First Class and Certified Mail
- 2) Open Burn NOV File
- 3) Feb. 2008 Correspondence File

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

7007 0710 0003 2759 9050

For delivery information visit our website at www.usps.com

Postage	\$
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To **JEFFREY A. WEISGARBER**
JANETTE L. WEISGARBER
 Street, Apt. No., or PO Box No. **11235 PORTLAND AVE SW**
 City, State, ZIP+4 **BEACH CITY OH 44608-9736**

PS Form 3800 August 2006 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:

JEFFREY A. WEISGARBER
 JANETTE L. WEISGARBER
 11235 PORTLAND AVE SW
 BEACH CITY OH 44608-9736

2. Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
[Signature]

B. Received by (Printed Name) *JEFFREY A. WEISGARBER* C. Date of Delivery *2-16-08*

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

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7007 0710 0003 2759 9050