

Air Pollution Control Division



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

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

Daniel J. Aleman
APCD Administrator



CERTIFIED MAIL

Tuesday, January 29, 2008

MR. DALE SCHOTT
208 WEST MAIN STREET
BEACH CITY, OH 44608

**Re: NOTICE OF VIOLATION: OHIO ADMINISTRATIVE CODE 3745-17-09;
RESTRICTIONS ON PARTICULATE EMISSIONS AND ODORS FROM
INCINERATORS.**

Dear Mr. Schott,

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 are charged with the responsibility to investigate and enforce Ohio EPA (OEPA) air pollution regulations. APCD employees are authorized under Ohio Revised Code 3704.03 (L) to enter upon private property to determine if there is noncompliance with OEPA regulations.

You were found performing an unpermitted illegal burning on Friday, January 25, 2008, 3:15 PM at the residential location of 208 West Main ST, Beach City, OH 44608. I inspected your property to view and obtain photographic evidence of the improper usage of the possible incinerator without proper air pollution controls and permits. Unfortunately you were not home to provide me with entrance to your garage to view the incinerator or wood heater. The stack appears to be broken. I suggest that you repair this stack to reduce the amount of emissions coming out from the side of the garage.

Ohio Administrative Code 3745-17-09 states that no person shall cause, suffer, or allow to be emitted into the ambient air from any incinerators, particulate emissions in the exhaust gases in excess of: 0.10 pound per one hundred pounds of liquid, semi-solid or solid refuse and salvageable material charged, for incinerators having incineration capacities equal to or greater than one hundred pounds per hour; or 0.20 pound per one hundred pounds of liquid, semi-solid or solid refuse and salvageable material charged for incinerators having incineration capacities less than one hundred pounds per hour.

Incinerators, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors.

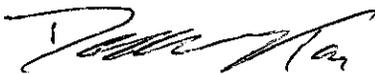
EPA's rule contains strict MACT-based standards for new incinerators and emissions limits for existing incinerators. Incinerators release a number of pollutants, including cadmium, lead, mercury, dioxin, sulfur dioxide, hydrogen chloride, nitrogen dioxide, and particulate matter. Dioxin and mercury are of particular concern because they are toxic; persist in the environment, and bioaccumulate.

The United States EPA states that Dioxins are highly toxic, long-lasting organic compounds. They are dangerous even at extremely low levels and have been linked to several health problems, including cancer and developmental and reproductive disorders. Dioxins are formed when products containing carbon and chlorine are burned. Even very small amounts of chlorine can produce dioxins. Because burn barrels do not have the same strict controls as municipal incinerators, barrel burning releases significant amounts of dioxins. Trying to prevent dioxins from forming by separating out items high in chlorine content is not effective, since low levels of chlorine are present in most household trash. Dioxins accumulate in the food chain. Airborne dioxins can settle onto feed crops, which are then eaten by domestic meat and dairy animals. Dioxins also can settle on water or enter waterways through soil erosion. These dioxins accumulate in the fats of animals, and then in humans when we consume meat, fish, and dairy products.

Be advised that property owners can be held responsible for the actions of their tenants and that, by repeat violations, you may subject yourself to the possibility of enforcement actions. This office, at any time, can initiate enforcement proceedings that can result in fines starting at \$250 for each violation. This agency strongly advises you to abide by Ohio EPA regulations so as to avoid any further response from this Agency.

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

Sincerely,



Denny Tan

Staff Field Inspector
Air Pollution Control Division
Canton City Health Department

Enc:

- 1) Photographs
- 2) OAC 3745-17-09
- 3) OAC 3745-31-02
- 4) OAC 3745-35-02

Pc:

- 1) Addressee via first class and certified mail to 208 W Main ST, Beach City, OH 44608
- 2) P.O Box 695, Beach City, OH 44608
- 3) NOV file
- 4) Correspondence file



208 W. Main ST – Sugarcreek TWP. Photo taken by Staff Field Inspector, Denny Tan on 01/25/2008 at 3:15 PM.

Photo shows exhaust from possible incinerator in garage. The stack is broken, allowing the smoke to exit from side of garage horizontally. At time of inspection, I could not gain access to the garage to view the source of smoke.

3745-17-09

Restrictions on particulate emissions and odors from incinerators.**(A) General provisions.**

- (1) This rule shall apply to any incinerator except those regulated under Chapter 3745-75 of the Administrative Code.
- (2) For the purposes of this rule, the total of the capacities of all incinerators which are united either physically or operationally shall be considered as the incineration capacity.

(B) Emission limitation.

No person shall cause, suffer, or allow to be emitted into the ambient air from any incinerators, particulate emissions in the exhaust gases in excess of: 0.10 pound per one hundred pounds of liquid, semi-solid or solid refuse and salvageable material charged, for incinerators having incineration capacities equal to or greater than one hundred pounds per hour; or 0.20 pound per one hundred pounds of liquid, semi-solid or solid refuse and salvageable material charged for incinerators having incineration capacities less than one hundred pounds per hour.

(C) Design-operation requirements.

Incinerators, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors.

Effective: 02/01/2008
R.C. 119.032 review dates: 09/12/2007 and 02/01/2013

CERTIFIED ELECTRONICALLY

Certification

01/22/2008

Date

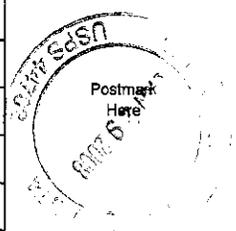
Promulgated Under: 119.03
Statutory Authority: 3704.03(E)
Rule Amplifies: 3704.03(A), 3704.03(E)
Prior Effective Dates: 2/15/1972, 6/18/1980, 10/1/1983, 7/9/1991

7006 0810 0004 5529 3325

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Sent To
DALE SCHOTT

Street, Apt. No., or PO Box No. 208 WEST MAIN STREET

City, State, ZIP+4 BEACH CITY OH 44608

PS Form 3800, June 2002 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:

DALE SCHOTT
208 WEST MAIN STREET
BEACH CITY OH 44608

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
X Aaron Schott

B. Received by (Printed Name) *Aaron Schott* C. Date of Delivery *2/12/08*

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

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 Certified Mail Express Mail
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