Air Pollution Control Division

OhioEPA

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

Robert E. Pattison, MPA
Health Commissioner

Daniel J. Aleman
APCD Administrator

COPY

CERTIFIED MAIL

Monday, January 07, 2008

Mr. Rodney Jarvis
6381 Union AVE NE
Alliance, OH 44601

Re: NOTICE OF VIOLATION: OHIO ADMINISTRATIVE CODE 3745-19-04; UNAUTHORIZED OPEN BURNING FOR WASTE DISPOSAL.

Dear Mr. Jarvis

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.

This Agency was notified by The Washington Township Fire Department of an illegal open burning at your residence at 6381 Union AVE NE Alliance, OH 44601. I inspected your residence on January 07, 2008 at 2:10 PM and obtained visual and photographic evidence of the waste disposal in two, 55-gallon metal drums. Per our discussion, you stated that you currently do not have a refuse pick-up service, and I advised you to obtain one so as not to illegally burn trash in "burn-barrels" in the future.

Be aware 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 of $250 a day for each violation. This agency strongly advises you to conduct any future open burning in strict compliance with the Ohio EPA regulations so as to avoid any further response from either the fire department or this Agency.

Since your residence is located in what the OEPA defines as an unrestricted area, individuals in unrestricted areas are permitted to conduct open burning for recreational and outdoor cooking purposes. According to Ohio Administrative Code, 3745-19-04, the following conditions apply to recreational fires in an unrestricted area;

a) *They are fueled with clean seasoned firewood, natural gas or equivalent, or any clean burning fuel with emissions that are equivalent to or lower than those created from the burning of seasoned firewood;*

b) *They are not used for waste disposal purposes; and*

c) *They shall have a total fuel area of three feet or less in diameter and two feet or less in height.*

By copy of this letter, property owner; Mr. Ferrell M. Brownlee is advised that property owners can be held responsible for the actions of their tenants.

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,

Denny Tan

Staff Field Inspector II
Air Pollution Control Division
Canton City Health Department

Enc:
1) Photographs taken on 01/07/08 at 2:10 PM
2) OAC 3745-19-01
3) OAC 3745-19-04
4) US EPA "The Hidden Hazards of Backyard Burning"
5) Ohio EPA "Before You Light It..."

Pc:
1) Addressee via first-class and certified mail
2) Open burn file
3) NOV file
4) Washington Township Fire Chief, Terry Wilson
5) 6381 Union AVE NE, 44601, Property Owner; Mr. Ferrell M. Brownlee

7005 3110 0000 8719 9087

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Sent To: MR. FERRELL M. BROWNLEE

Street, Apt. No.; or PO Box No.: 6399 UNION AVE NE

City, State, ZIP+4: ALLIANCE OH 44601

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:

MR. FERRELL M. BROWNLEE
6399 UNION AVE NE
ALLIANCE OH 44601

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name): FERRELL BROWNLEE — C. Date of Delivery: 1/17/08

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)* 7005 3110 0000 8719 9087

PS Form 3811, February 2004 — Domestic Return Receipt — 102595-02-M-1

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Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.38

Postmark Here

Sent To: MR. RODNEY JARVIS
Street, Apt. No.; or PO Box No.: 6381 UNION AVE NE
City, State, ZIP+4: ALLIANCE OH 44601

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:

MR. RODNEY JARVIS
6381 UNION AVE NE
ALLIANCE OH 44601

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Rodney Jarvis ☐ Agent ☒ Addressee

B. Received by (Printed Name): Rodney J
C. Date of Delivery: 1-10-08

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)* 7005 3110 0000 8719 9070

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