

Air Pollution Control Division

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, M.S., PE
APCD Administrator

OhioEPA
APC Contractual Representative
Serving All of Stark County

COPY

CERTIFIED MAIL

Wednesday, June 25, 2008

Attn: Mr. Robert and Kim Nau
4220 Millport AVE SE
Canton, OH 44706
Canton Township
(330) 484-7170

**Re: NOTICE OF VIOLATION: OHIO ADMINISTRATIVE CODE 3745-19-03
UNAUTHORIZED ILLEGAL OPEN BURNING IN A RESTRICTED AREA.**

Dear Mr. and Mrs. Nau:

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 The Ohio Revised Code 3704.03 (L) to enter upon private property to determine if there is noncompliance with OEPA regulations.

On Monday, June 23, 2008 at 10:15 AM, I inspected your residential property for a possible illegal open burning at 4220 Millport AVE SE Canton, OH 44706 within Canton Township of Stark County. I photographed the evidence of the illegal open burning in a small area for the purpose of yard waste disposal, a violation of The Ohio Administrative Code 3745-19-03.

Since this residential property is located in what the Ohio Administrative Code 3745-19-01 (K) defines as a restricted area, according to The Ohio Administrative Code, 3745-19-03 (B); open burning shall be allowed for the following purposes without notification to or permission from the Ohio EPA; bonfires, campfires and outdoor fireplace equipment, whether for cooking food for human consumption, pleasure, religious, ceremonial, warmth, recreational, or similar purposes, if the following conditions are met:

1. *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;*
2. *They are not used for waste disposal purposes; and*
3. *They shall have a total fuel area of three feet or less in diameter and two feet or less in height.*

Per your request, I have included for you information on how to prepare a firewood supply; an article obtained from Woodheat.org, called "The fuel is the thing". I have also provided locations for 15 recycling drop-offs of unbagged yard waste.

This is the second time a member of this agency has inspected your residence for illegal open burning since August of 1999.

You are hereby informed that enforcement proceedings may be initiated to assess and collect administrative penalties via The Ohio Administrative Code 3745-19-06; Open Burning Unilateral Order. 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 this agency.

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) OAC 3745-19-03.
- 2) Stark County yard waste recycling drop-off locations.
- 3) "How to prepare your firewood supply".

Pc:

- 1) Addressee via certified mail and a copy via first class mail 10 to 14 days after the date of this letter if initial NOV is unclaimed.
- 2) Open burn file.
- 3) NOV Correspondence file, June 2008.

DT / dt

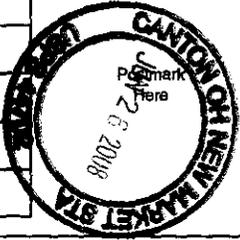
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Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To
 MR ROBERT AND KIM NAU
 Street, Apt. No.,
 or PO Box No. 4220 MILLPORT AVE SE
 City, State, ZIP+4 CANTON OH 44706

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:
 MR ROBERT AND KIM NAU
 4220 MILLPORT AVE SE
 CANTON OH 44706

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
 X Stephanie M. Nau

B. Received by (Printed Name) C. Date of Delivery
 Stephanie Nau

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

2. Article Number 7008 0150 0001 8204 7928
 (Transfer from service)

PS Form 3811, February 2004

Domestic Return Receipt

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