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# Air Pollution Control Division



APC Contractual Representative  
Serving All of Stark County

## Canton City Health Department

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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

FIRST-CLASS MAIL  
CERTIFIED MAIL

October 30, 2007

Mr. Ernie Sellers  
4476 Barbie AVE SW  
Massillon, OH 44646

**Re:** OPEN BURNING AT RESIDENCE IN PERRY TOWNSHIP

Dear Mr. Sellers:

Recently, an alleged illegal open burning was reported to the Canton Air Pollution Control Division, a Stark County representative for the Ohio EPA. It was forwarded from the Perry Township Fire Department. Upon the arrival of Perry Township Police to your residence, they discovered that you were burning illegal materials including finished wood, and particle board. Per their request, you had removed and extinguished the remaining fire. A member of this office investigated the complaint and talked with you concerning this matter.

Because you are located in a restricted area, open burning is prohibited except for very specific and minimal allowances with special conditions per the enclosed Ohio Administrative Code (OAC) 3745-19-03. Any open burning on your property will be a violation of this regulation if **all** requirements are not met (i.e. cookout fires cannot be used for waste disposal purposes, waste disposal fires cannot be justified by attempting to cook over them, proper and complete notification needs to be made in specific circumstances, etc.).

- 1. Bonfires, campfires and outdoor fireplace equipment are to be fueled with clean, seasoned firewood.**
- 2. They are not to be 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.**

If you wish to properly dispose of freshly cut branches, grass shrubs, leaves, and stumps, there are conveniently located recycling stations throughout Stark County. Enclosed are the open burning regulations for your information, and locations of yard waste collection sites.

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,

A handwritten signature in black ink that reads "Denny Tan". The signature is written in a cursive style with a long, sweeping underline.

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

Enclosure: (1) OAC rule 3745-19-03  
(2) Location of Stark County yard waste collection sites  
(3) Ohio EPA Open Burning Regulations Brochure

Pc: (1) Addressee via first-class and certified mail  
(2) Open burn file  
(3) Correspondence file

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



Sent To MR. ERNIE SELLERS  
Street, Apt. No.,  
or PO Box No. 4476 BARBIE AVE SW  
City, State, ZIP+4 MASSILLON OH 44646



3745-19-03 **Open burning in restricted areas.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see the last paragraph of rule 3745-19-01 of the Administrative Code titled "Incorporation by reference".]

(A) No person or property owner shall cause or allow open burning in a restricted area except as provided in paragraphs (B) to (D) of this rule or in section 3704.11 of the Revised Code.

(B) Open burning shall be allowed for the following purposes without notification to or permission from the Ohio EPA:

- (1) Heating tar, welding, acetylene torches, highway safety flares, heating for warmth of outdoor workers and strikers, smudge pots and similar occupational needs
- (2) 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:
  - (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.
- (3) Disposal of hazardous explosive materials, military munitions or explosive devices that require immediate action to prevent endangerment of human health, public safety, property or the environment and that are excluded from the requirement to obtain a hazardous waste permit pursuant to paragraph (D)(1)(d) of rule 3745-50-45 of the Administrative Code.
- (4) Recognized training in the use of fire extinguishers for commercial or industrial fire prevention.

Fires allowed by paragraphs (1) to (3) and (4) of this rule shall not be used for waste disposal purposes and shall be of minimum size sufficient for their intended purpose; the fuel shall be chosen to minimize the generation and emission of air contaminants.

(C) Open burning shall be allowed for the following purposes with prior notification to the Ohio EPA in accordance with paragraph (B) of rule 3745-19-05 of the Administrative Code:

- (1) Prevention or control of disease or pests, with written or verbal verification to the Ohio EPA from the local health department, cooperative extension service, Ohio department of agriculture, or U.S. department of agriculture, that open burning is the only appropriate disposal method.
- (2) Bonfires or campfires used for ceremonial purposes that do not meet the requirements of paragraph (B)(2) of this rule, provided the following conditions are met:
  - (a) They have a total fuel area no greater than five feet in diameter by five feet in height and burn no longer than three hours.
  - (b) They are not used for waste disposal purposes; and
  - (c) 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.
- (3) Disposal of agricultural waste generated on the premises if the following conditions are observed:
  - (a) The fire is set only when atmospheric conditions will readily dissipate contaminants;
  - (b) The fire does not create a visibility hazard on the roadways, railroad tracks, or air fields.
  - (c) The fire is located at a point on the premises no less than one thousand feet from any inhabited building not located on said premises.
  - (d) The wastes are stacked and dried to provide the best practicable condition for efficient burning; and
  - (e) No materials are burned which contain rubber, grease, asphalt or liquid petroleum products.

(D) Open burning shall be allowed for the following purposes upon receipt of written permission from the Ohio EPA, in accordance with paragraph (A) of rule 3745-19-05 of the Administrative Code, provided that any conditions specified in the permission are followed:

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- (1) Disposal of ignitable or explosive materials where the Ohio EPA determines that there is no practical alternate method of disposal, excluding those materials identified in paragraph (B)(3) of this rule;
- (2) Instruction in methods of fire fighting or for research in the control of fires as recognized by the State fire marshal division of the Ohio department of commerce and the guidelines set forth in the National Fire Protection Association's (NFPA) publication 1403 "Standard on Live Fire Training Evolutions, Chapter 4, Acquired Structures", provided that the application required in paragraph (A)(1) of rule 3745-19-05 is submitted by the commercial or public entity responsible for the instruction;
- (3) In emergency or other extraordinary circumstances for any purpose determined to be necessary by the director and performed as identified in the appendix of this rule. If deemed necessary, the open burning may be authorized with prior oral approval by the director followed by the issuance of a written permission to open burn within seven working days of the oral approval.
- (4) Recognized horticultural, silvicultural, range, or wildlife management practices; and
- (5) Fires and/or pyrotechnic effects, for purposes other than waste disposal, set as part of commercial film-making or video production activities for motion pictures and television.

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Effective: 07/07/2006

R.C. 119.032 review dates: 01/20/2006 and 07/07/2011

**CERTIFIED ELECTRONICALLY**  
Certification

06/27/2006  
Date

Promulgated Under: 119.032  
Statutory Authority: R.A.C. 119.032(A)  
Rule Amended: 06/27/2006  
Prior Effective Dates: 07/07/2006, 01/20/2006

## Stark County

**Stark County Recycling** offers 15 Yard Waste Collection Programs where residents can leave unbagged yard waste at no charge. Materials will be loaded into the bins by township/village personnel. The materials will be hauled to an area composter where it will be recycled into mulch or compost. Contact Linda Morckel at **800-678-9839** if you have any questions.

### PLEASE NOTE

**NO DUMPING** is permitted at the recycling and yard waste sites. If you see someone leaving trash at a site, please report a description of the car and license plate number to Linda Morckel at **800-678-9839**. Violators will be prosecuted.

<b>NOT Accepted</b> treated wood wooden furniture railroad ties business waste
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<b>Accepted Material</b> grass shrubs leaves stumps branches
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### YARD WASTE COLLECTION SITES

**Beach City**  
*Behind Police Dept.*  
Church Street  
Dawn to Dusk

**Lawrence Township**  
*County Outpost*  
12649 Orrville St. SW  
Mon-Fri. 7am - 3pm

**Perry Township**  
*Recycling Station*  
5075 Southway St. SW  
Mon 10am-6pm, Fri 9-5pm  
Tues-Thurs, Sat 8am-2pm

**Brewster**  
*Street Dept.*  
145 1/2 W. First Street  
Dawn to Dusk

**Massillon City**  
*City Garage*  
401 Walnut Rd SW  
Mon-Fri 7am - 6pm

**Plain Township**  
*Fire Department*  
2855 Easton St. NE  
M, Th. & Sat 8am - 6pm

**Canal Fulton**  
*Street Department*  
950 Water Street  
Dawn to Dusk

**Navarre**  
*Wastewater Plant*  
Hudson Drive  
Mon-Fri. 7am - 3pm

*Warstler Brothers*  
4125 Salway Ave NW  
Tues-Fri. 8am - 5pm  
Sat 8am - 3pm  
**(Will Reopen  
March 15, 2007)**

**Canton Township**  
*Township Building*  
4711 Central Ave SE  
Dawn to Dusk

**Nimishillen Twp**  
*Township Garage*  
4915 N. Nickelplate St.  
Dawn to Dusk

**Tuscarawas Twp**  
*Township Hall*  
956 Manchester Rd SW  
Mon-Fri. 7:30-4pm

**Jackson Township**  
*West of High School*  
Fulton Drive  
Dawn to Dusk

**Paris Township**  
*Township Office*  
14220 Freed St. SE  
Dawn to Dusk

**Wilmot**  
*Behind Post Office*  
Rt. 62 & Rt. 250  
Dawn to Dusk

**Lake Township**  
*Township Garage*  
1499 Midway St  
Hartville  
Dawn to Dusk