

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

Robert E. Pattison, MPA
Health Commissioner

Daniel J. Aleman
APCD Administrator

April 30, 2007

Mr. and Mrs. Timothy Corrick
8026 Garnet Ave NE
Canton, OH 11721-1725

Re: INFORMATION RELATING TO OPEN BURNING IN UNRESTRICTED AREAS

Dear Mr. and Mrs. Corrick:

I was at your residence to view an open burning fire on the evening of Saturday, April 28. At the time of my visit, your fire was making black smoke and the burning substance was soft, suggesting some kind of plastic. Burning for waste disposal at your residence was in violation of Ohio EPA laws on open burning. Many times citizens unintentionally violate open burning regulations because they are unaware of their existence. This letter is to make you aware of these regulations/ordinances.

You live in what Ohio EPA classifies as an unrestricted area. As such, you have more open burning options than the typical city resident.

You may burn for occupational purposes, such as heating tar, welding, heating for warmth of outdoor workers, etc.

You may have recreational fires, such as campfires and outdoor fireplace equipment, and these can be for cooking food or for recreational fires. Here are the stipulations for these fires:

- (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 have a total fuel area of three feet or less in diameter and two feet or less in height.*

Residents in unrestricted areas may dispose of residential waste that includes landscape wastes generated from a one-, two-, or three-family residence as a result of residential activities. Here are the stipulations:

- (a) The fire is set only when atmospheric conditions will readily dissipate contaminants;*

Mr. and Mrs. Timothy Corrick
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(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.

Please note (c). This means that your fire can't be closer than 1,000 feet from any neighbor's house. In Diamond Estates, it is not possible to be in compliance with (c) above.

The Ohio EPA regulations for open burning are contained in Ohio Administrative Code 3745-19. There are six parts to OAC 3745-19:

3745-19-01 Definitions

3745-19-02 Relations to other prohibitions

3745-19-03 Open burning in restricted areas

3745-19-04 Open burning in unrestricted areas

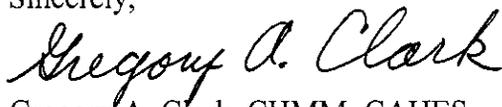
3745-19-05 Permission to individuals and notification to the Ohio EPA

3745-19-06 Open burning unilateral order

I send you a copy of 3745-19-04, the one most relevant to you.

The Ohio EPA tries to discourage open burning of any kind. I enclose a pamphlet "Before You Light It..." that talks about the pollution given off by fires. If you have leaves, brush, etc. from cleaning up your property, I encourage you to consider the free drop off points maintained by the Stark-Tuscarawas-Wayne Joint Solid Waste Management District. They transform yard waste into useful mulch or compost. I enclose information on the yard waste drop off points.

Sincerely,



Gregory A. Clark, CHMM, CAHES
Air Pollution Control Engineer

enclosures: 1. "Before You Light It..."
 2. OAC 3745-19-04
 3. Stark County Yard Waste Drop Off Locations

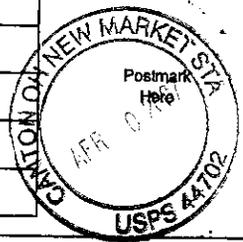
cc: Troy Slabaugh, Plain Township Fire and Rescue, 2600 Easton St NE, Canton OH 44721-2600

7005 1160 0000 8900 0214

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

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

Postage	\$.39
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.64



Sent To
MR & MRS TIMOTHY CORRICK
 Street, Apt. No.;
 or PO Box No. **8026 GARNET AVE NE**
 City, State, ZIP+4
CANTON OH 44721

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 & MRS TIMOTHY CORRICK
8026 GARNET AVE NE
CANTON OH 44721

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Cowen Addressee

B. Received by (Printed Name) *B. Cowen* C. Date of Delivery *4/7/09*

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 1160 0000 8900 0214**

For a complete copy of Ohio's open burning regulations, contact:

Ohio EPA
Division of Air Pollution Control
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2270

or visit our Web site at
www.epa.state.oh.us/dapc/general/openburning.html

OhioEPA

State of Ohio Environmental Protection Agency

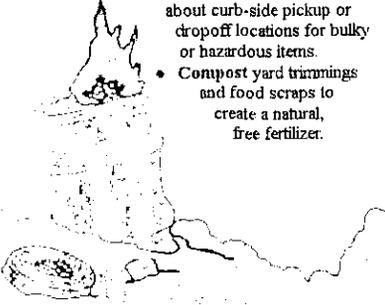
Before You Light It...

Know Ohio's Open Burning Regulations

July 2006

**What you can do
instead of open burning**

- Reduce the amount of waste you generate.
- Reuse items in another way.
- Recycle - Contact your local government about curb-side pickup or dropoff locations for bulky or hazardous items.
- Compost yard trimmings and food scraps to create a natural, free fertilizer.



Ohio EPA is an Equal Opportunity Employer
Printed on Recycled Paper

When you burn refuse in burn barrels or open piles, the potential cost to your health, your home, your neighbors and your environment far exceeds the price of adequate collection services.

Protect yourself, your neighbors and your wallet by knowing the rules—what you can burn and where.

What is open burning?

You are open burning any time you light an outdoor fire without a chimney or stack.

Why is open burning a problem?

Open burning can release many kinds of toxic fumes. Leaves and plant materials send aloft millions of spores when they catch fire, causing many people with allergies to have difficulty breathing.

The pollutants released by open burning also make it more difficult to meet health-based air quality standards, especially in or near large cities. The gases released by open burning can also corrode metal siding and damage paint on buildings.

What open burning is never allowed?

Under Ohio law, these materials *may not* be burned anywhere in the state at any time:

- garbage—any wastes created in the process of handling, preparing, cooking or consuming food;
- materials containing rubber, grease and asphalt or made from petroleum, such as tires, cars and auto parts, plastics or plastic-coated wire; and
- dead animals.



Other restrictions:

- Open burning is not allowed when air pollution warnings, alerts or emergencies are in effect.
- Fires cannot obscure visibility for roadways, railroad tracks or air fields.
- No wastes generated off the premises may be burned. For example, a tree trimming contractor may not haul branches and limbs to another site to burn.

Does Ohio EPA ever allow exceptions to the rules?

Under certain circumstances, yes. However, to burn a prohibited material or set a fire in a restricted area, you must receive written permission from Ohio EPA *before* you begin burning. This may take two weeks.

Can a community regulate open burning?

Yes. However, local ordinances cannot be less strict than the state law.

What happens if I'm caught illegally open burning?

Ohio EPA has the authority to enforce the state's open burning laws. Violations can result in substantial penalties. If you have any questions, or would like to report a suspected open burning incident, contact your Ohio EPA district office or your local air pollution control agency. Ohio EPA is represented by five district offices and nine local air agencies. See the map in this brochure for the agency to contact in your area.

Health Concerns

Burning household waste produces many toxic chemicals and is one of the largest known sources of dioxin in the nation.

Other air pollutants from open burning include particulate matter, sulfur dioxide, lead and mercury. These pollutants have been linked to several health problems, including asthma, respiratory illnesses, nervous system damage, kidney and liver damage, and reproductive or developmental disorders.

What can I burn?

The following open fires are **allowed** in Ohio:

Type of Fire	Inside a village or city* (if generated on property)	Outside a village or city* (if generated on property)
Barbeques, campfires cookouts	Wood stack no larger than 2 ft. high x 3 ft. wide. Use clean, seasoned firewood or equivalent.	Wood stack no larger than 2 ft. high x 3 ft. wide. Use clean, seasoned firewood or equivalent.
Agricultural waste	Agricultural wastes and plant matter such as tree trimmings, stumps, brush, weeds, leaves, grass, shrubbery and material from crop or livestock production. This includes fence posts and scrap lumber, but not buildings. <i>Fire must be more than 1,000 feet from neighbor's inhabited building. Must notify Ohio EPA in advance.</i>	Agricultural wastes and plant matter such as tree trimmings, stumps, brush, weeds, leaves, grass, shrubbery and material from crop or livestock production. This includes fence posts and scrap lumber, but not buildings. <i>Fire must be more than 1,000 feet from neighbor's inhabited building.</i>
Land-clearing waste	Not permitted in city limits	Plant matter such as tree trimmings, stumps, brush, weeds, leaves, grass, shrubbery and crop residues. <i>With prior written permission from Ohio EPA. This may take two weeks.</i>
Residential waste	Not permitted in city limits	Plant matter such as tree trimmings, stumps, brush, weeds, leaves, grass, shrubbery and crop residues. Also wastes such as wood or paper products that are generated by one-, two-, or three-family residences. <i>Fire must be more than 1,000 feet from neighbor's inhabited building.</i>
Ceremonial fires	Wood stack no larger than 5 ft. high x 5 ft. wide. Duration no longer than three hours. Use clean, seasoned firewood or equivalent. <i>Must notify Ohio EPA in advance.</i>	Wood stack no larger than 5 ft. high x 5 ft. wide. Duration no longer than three hours. No notification required.
Occupational fires: welding torches, heating tar, heating for warmth of outdoor workers and strikers	Use clean, seasoned firewood contained in a 55-gallon drum.	Use clean, seasoned firewood contained in a 55-gallon drum.
Firefighter training, Explosive material disposal	<i>With prior written permission from Ohio EPA. This may take two weeks.</i>	<i>With prior written permission from Ohio EPA. This may take two weeks.</i>
Horticultural, silvicultural, range or wildlife management practices	<i>With prior written permission from Ohio EPA. This may take two weeks.</i>	<i>With prior written permission from Ohio EPA. This may take two weeks.</i>
Disease or pest control	Local health department, the Ohio Department of Agriculture or the U.S. Department of Agriculture verifies to Ohio EPA that open burning is the only appropriate control method <i>and must notify Ohio EPA in advance.</i>	Local health department, the Ohio Department of Agriculture or the U.S. Department of Agriculture verifies to Ohio EPA that open burning is the only appropriate control method.

*Villages and cities are considered "restricted areas," which include:

- within the boundaries of any municipal corporation;
- within corporation limits and a 1,000-foot zone outside any municipal corporation having a population of 1,000 to 10,000; and
- within corporation limits and a one-mile zone outside any municipal corporation with a population of more than 10,000. Call your local municipality for corporation boundaries.



OhioEPA

District Offices

- CDO** - Central District Office - (800) 686-2330
- NEDO** - Northeast District Office - (800) 686-6330
- NWDO** - Northwest District Office - (800) 686-6930
- SEDO** - Southeast District Office - (800) 686-7330
- SWDO** - Southwest District Office - (800) 686-8930

Local Air Pollution Control Agencies

1. Akron Regional Air Quality Management District (800) 589-2480
www.ci.akron.oh.us/Health04/divisions.htm
2. Canton Division of Air Pollution Control (330) 489-3231
www.cantonhealth.org/air_pollution_control.htm
3. Hamilton County Environmental Services (800) 889-0474
www.hcdoes.org
4. Cleveland Division of Air Quality (216) 664-2297
www.clevelandhealth.org
5. Regional Air Pollution Control Agency (Dayton Area) (800) 458-2115
www.rapca.org
6. Lake County Air Pollution Control (440) 350-2543
www.lcghd.org
7. Portsmouth Air Pollution Control (740) 353-5156
www.ci.portsmouth.oh.us/departments/health/
8. Toledo Division of Environmental Services (419) 936-3015
www.ci.toledo.oh.us/index.cfm?Article=940
9. Mahoning-Trumbull Air Pollution Control Agency (330) 743-3333
www.ychd.com/airpollution.html

3745-19-04 Open burning in unrestricted 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 an unrestricted area except as provided in paragraphs (B) to (C) 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 except when such fire is used for ceremonial purposes it may have a total fuel area no greater than five feet in diameter and five feet in height if the ceremonial fire burns no longer than three hours.

(3) Disposal of residential waste or 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.

(4) 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.

(5) Recognized training in the use of fire extinguishers for commercial or industrial fire prevention.

Fires allowed by paragraphs (B)(1), (B)(2), (B)(3) and (B)(5) of this rule shall not be used for waste disposal purposes, and shall be of the 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 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:

(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)(4) of this rule;

(2) Instruction in methods of fire fighting or for research in the control of fire 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 rule 3745-19-03 of the Administrative Code. 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) Disposal of land clearing 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 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; and

(d) An air curtain destructor or other device or method determined by the director to be at least as effective is used to curtail release of air contaminants;

(5) Recognized horticultural, silvicultural, range, or wildlife management practices; and

(6) 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.

(D) Open burning shall be allowed for the 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.

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: 119.03

Stark County Recycling offers 14 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 Stark County Recycling at **330-451-7808** 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 the Recycling Office at **330-451-7808**. Violators will be prosecuted.

Accepted Material: grass shrubs, leaves stumps, branches

NOT Accepted: treated wood, wooden furniture, railroad ties, business waste

Beach City
Behind Police Dept.
Church Street
Dawn to Dusk

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

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

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

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

Warstler Brothers
4125 Salway Ave NW
Tues-Fri. 8am - 5pm
Sat 8am - 3pm

Canton Township
Township Building
4711 Central Ave SE
Dawn to Dusk

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

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

Lake Township
Township Garage
1499 Midway St
Hartville
Dawn to Dusk

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

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

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

Canal Fulton
Street Department
950 Water Street
Dawn to Dusk