

Air Pollution Control Division

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

CERTIFIED MAIL

October 16, 2007

Ms. Stacey McVaney
854 Redwing Drive
Canal Fulton, Ohio 44614

Re: Open Burning Complaint

Dear Ms. McVaney:

Recently, an alleged open burning was reported to the Canton City Health Department-Air Pollution Control Division, a Stark County representative for Ohio EPA-Division of Air Pollution Control. A member from this office investigated the complaint and spoke with you on October 15, 2007. A violation was discovered. This letter will briefly explain the State requirements concerning open burning and will request your compliance with such.

Because you are located in a restricted area, open burning is prohibited except for very specific and minimal allowances with special conditions. Please see the enclosed Ohio Administrative Code ("OAC") rules 3745-19-01 and 3745-19-03. Any open burning on your property will be a violation of OAC 3745-19-03 if all the requirements in OAC 3745-19-03 (B) are not met. ***Your fire was a violation of OAC rule 3745-19-03 (B)(2)(a) because the fire that had been burning was not fired with clean seasoned firewood or a fuel with lesser emissions than clean seasoned firewood.*** This Agency therefore requests the ceasing of all such illegal fires occurring on your property and/or being conducted by you. Please note that any further open burning violations may result in legal action by Ohio EPA or the local prosecutor's office.

In accordance with Canton City Health Code 209.05, any person who is aggrieved by an order directing or requiring any action, forbearance or compliance may, prior to taking an appeal to the Canton Board of Health, request and receive a prompt hearing before the Canton City Health Commissioner or any representative specifically designated by him, provided that such request for administrative hearing is made in writing within five days from receipt of such order. Any person who is aggrieved by an order directing or requiring any action, forbearance or compliance from him may appeal to the Canton Board of Health in accordance with the procedures prescribed by the Board.

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,



Patrick G. Shriver
APCD Staff Field Inspector II

Enclosure: OAC rule 3745-19
OAC rule 3745-03

pc: Chief Ray Green, Lawrence Twp. Fire Department
12270 Strausser NW Canal Fulton, OH 44614

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Sent To
 MS. STACEY MCVANEY
 Street, Apt. No. or PO Box No. 854 REDWING DRIVE
 City, State, ZIP+4 CANAL FULTON OH 44614

PS Form 3800, June 2002 See Reverse for Instructions

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MS. STACEY MCVANEY
 854 REDWING DRIVE
 CANAL FULTON OH 44614

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