

Correspondence

# Air Pollution Control Division



APC Contractual Representative  
Serving All of Stark County

## Canton City Health Department

420 Market Avenue North • Canton, Ohio • 44702-1544  
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Daniel J. Aleman, P.E., MBA  
APCD Administrator

James M. Adams, MPH  
Health Commissioner

CERTIFIED MAIL

May 18, 2010

Mr. Raymie L. Butler  
8770 Sequoia Ave SE  
Waynesburg, OH

**Re: ILLEGAL OPEN BURNING ON YOUR PROPERTY IN SANDY TOWNSHIP**

Dear Mr. Butler:

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.

On May 17, 2010 I was at your property and documented evidence of open burning in violation of Ohio Revised Code 3745-19-04 which makes no allowance for the burning of demolished homes.

You are allowed recreational fires for cookouts, etc. as long as the fire is fueled with clean wood or equivalent, the fire is not used for waste disposal purposes, and the fire size does not exceed three feet in diameter and two feet high.

Please be advised that further occurrences can lead to enforcement and fines.

Sincerely,

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

Enclosures: OAC Rule 3745-19-04; Photos

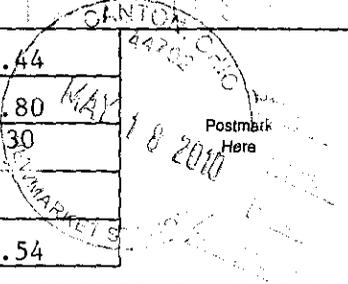
cc: Addressee via First Class Mail  
Waynesburg Fire Dept., 8285 Waynesburg Drive, Waynesburg, OH 44688-9502  
Correspondence File  
Complaints, Open Burn, Non-Residential, Sandy Township  
GA Clark

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Sent To **MR RAYMIE L BUTLER**  
Street, Apt. No. or PO Box No. **8770 SEQUOIA AVENUE SE**  
City, State, ZIP+4 **WAYNESBURG OH 44688**

### **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.

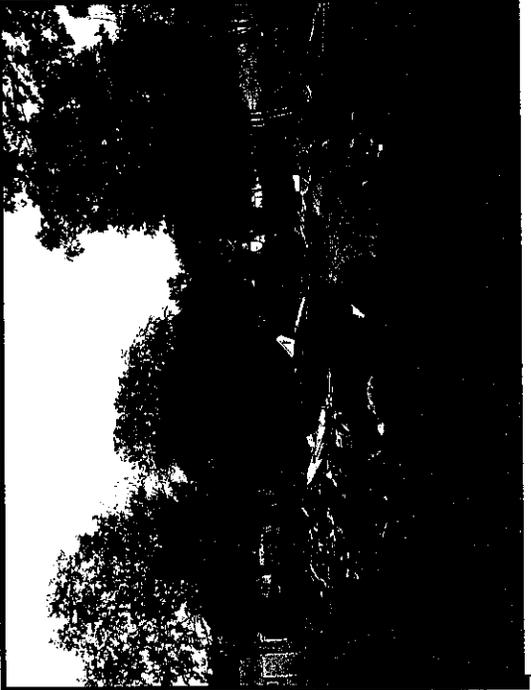
(4) Disposal of hazardous explosive materials, military munitions or explosive devices that require immediate action to prevent endangerment of human health, public safety, property or the environment and that are excluded from the requirement to obtain a hazardous waste permit pursuant to paragraph (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.**



Front of property



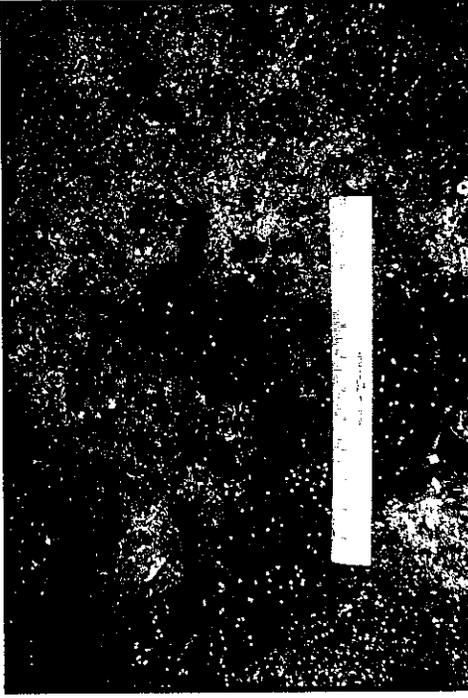
Debris from demolition of mobile home.



Open burning violation, 8770 Sequoia Ave SE, Waynesburg. G.A. Clark 05/17/2010 Page 1 of 1



Evidence of open burning of debris.



Evidence of open burning of debris.

