

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
APED Administrator

Correspondence File
OhioEPA
APC Contractual
Representative
Serving All of Stark County

March 26, 2007

CERTIFIED MAIL

Mr. Dan Andrews D.B.A. Dan's Tree Service
620 Shadyside Ave., SW
Canton, OH 44710-1672

Re: Illegal Open Burning of landscape waste at your storage facility on Harrisburg Road NE in Plain Township

Dear Mr. Andrews:

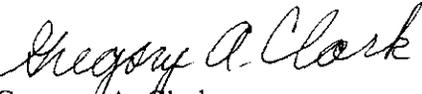
This agency is in receipt of a "Notice of Fire Hazard" issued to you on March 21, 2007 by the Plain Township Fire Department. This notice was the result of an illegal open burn of tree trimming materials at your equipment storage location on Harrisburg Road NE.

Be advised that this fire was in violation of Ohio Administrative Code (OAC) 3745-19-03 (A) which states that no person or property owner shall cause or allow open burning in a restricted area except in cases of 1) occupational needs, such as heating tar, 2) campfires, etc., 3) proper disposal of explosives, or 4) recognized fire extinguisher training. This is in addition to any fire code violations that the fire department may have observed.

I enclose for your reference, OAC 3745-19, the Ohio EPA regulations on open burning and Ohio EPA's pamphlet, "Before You Light It ..."

Should you have any questions concerning this letter or the open burning regulations, please contact me at (330) 489-3385.

Sincerely,


Gregory A. Clark
Air Pollution Control Engineer

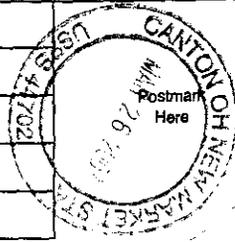
Enclosures: 1) OAC Rule 3745-19
2) "Before You Light It..." from Ohio EPA
3) Copy of Plain Township 3 /21/07 Notice of Fire Hazard

pc: Troy Slabaugh, Plain Township Fire & Rescue, 2600 Easton St. NE, Canton OH 44721-2600

7005 1160 0000 8900 0504

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 DAN ANDREWS**
 Street, Apt. No., or PO Box No. **DBA DAN'S TREE SERVICE**
620 SHADYSIDE AVE SW
 City, State, ZIP+4 **CANTON OH 44710-1672**

PS Form 3800, June 2002 See Reverse for instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> 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. 	A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
	1. Article Addressed to: MR DAN ANDREWS D.B.A. DAN'S TREE SERVICE 620 SHADYSIDE AVE SW CANTON OH 44710-1672	B. Received by (Printed Name) Dan & Andrew
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

7005 1160 0000 8900 0504

3745-19-01 **Definitions.** As used in Chapter 3745-19 of the Administrative Code:

(A) "Agricultural waste" means any waste material generated by crop, horticultural, or livestock production practices, and includes such items as woody debris and plant matter from stream flooding, bags, cartons, structural materials, and landscape wastes that are generated in agricultural activities, but does not include land clearing waste; buildings; garbage; dead animals; animal waste; motor vehicles and parts thereof; nor economic poisons and containers thereof, unless the manufacturer has identified open burning as a safe disposal procedure.

(B) "Economic poisons" include but are not restricted to pesticides such as insecticides, fungicides, rodenticides, miticides, nematocides and fumigants; herbicides; seed disinfectants; and defoliants.

(C) "Emergency burning" means the burning of clean wood waste or deceased animals caused by a natural disaster or an uncontrolled event such as the following:

- (1) A tornado.
- (2) High winds.
- (3) An earthquake.
- (4) An explosion.
- (5) A flood.
- (6) A hail storm, a rain storm, or an ice storm.

(D) "Garbage" means any waste material resulting from the handling, processing, preparation, cooking and consumption of food or food products.

(E) "Landscape waste" means any plant waste material, except garbage, including trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery, yard trimmings, and crop residues.

(F) "Land clearing waste" means plant waste material which is removed from land, including plant waste material removed from stream banks during projects involving more than one property owner, for the purpose of rendering the land useful for residential, commercial, or industrial development. Land clearing waste also includes the plant waste material generated during the clearing of land for new agricultural development.

(G) "Ohio EPA" means the Ohio environmental protection agency director or agencies delegated authority by the director of the Ohio environmental protection agency pursuant to section 3704.03 of the Revised Code or the chief of any Ohio environmental protection agency district office.

(H) "Open burning" means the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the ambient air without passing through a stack or chimney. Open burning includes the burning of any refuse or salvageable material in any device not subject to or designed specifically to comply with the requirements of rule 3745-17-09 or 3745-17-10 of the Administrative Code.

(I) "Residential waste" means any waste material, including landscape wastes, generated on a one-, two- or three-family residence as a result of residential activities, but not including garbage.

(J) "Restricted area" means the following:

- (1) Except as provided in paragraph (I)(2) of this rule, the area within the boundary of any municipal corporation established in accordance with the provisions of Title 7 of the Revised Code, plus a zone extending one thousand feet beyond the boundaries of any such municipal corporation having a population of one thousand to ten thousand persons and a zone extending one mile beyond any such municipal corporation having a population of ten thousand persons or more according to the latest federal census.

(2) "Restricted area" shall not include any municipal corporation the territory of which is located on an island in Lake Erie except that, during the yearly period between Memorial Day and Labor Day, any such municipal corporation shall be required to comply with the requirements of rule 3745-19-03 of the Administrative Code.

(K) "Unrestricted area" means all areas outside the boundaries of a restricted area as defined in paragraph (I) of this rule.

(L) Incorporation by reference. This chapter includes references to certain matter or materials. The text of the incorporated materials is not included in the regulations contained in this chapter. The materials are hereby made a part of the regulations in this chapter. For materials subject to change, only the specific version specified in the regulation are incorporated. Material is incorporated as it exists on the effective date of this rule. Except for subsequent annual publication of existing (unmodified) Code of Federal Regulation compilations, any amendment or revision to a referenced document is not incorporated unless and until this rule has been amended to specify the new dates.

(1) Availability. The materials incorporated by reference are available as follows:

(a) National Fire Protection Association. Information on the National Protection Association codes may be obtained by contacting association at Batterymarch Park, Quincy, Massachusetts 02169-7471, 617-770-3000. Codes may be ordered www.nfpa.org/catalog/home/index.asp. Copies of the code at most public libraries and "The State Library of Ohio."

(2) Incorporated materials.

(a) NFPA publication 1403; "Standard on Live Fire Training Evolutions, Chapter 4, Acquired Structures;" November 2001 Edition.

3745-19-02 Relations to other prohibitions.

(A) Notwithstanding any provision in Chapter 3745-19 of the Administrative Code, no open burning shall be conducted in an area where an air alert, warning, or emergency under Chapter 3745-25 of the Administrative Code is in effect.

(B) No provisions of Chapter 3745-19 of the Administrative Code, permitting open burning, and no permission to open burn granted by the Ohio EPA, shall exempt any person from compliance with any section of the Revised Code, or any regulation of any state department, or any local ordinance or regulation dealing with open burning.

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 (B)(1), (B)(2), and (B)(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:

- (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.

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

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

(A) **Permission:**

(1) An application for permission to open burn shall be submitted in writing at least ten working days before the fire is to be set. Saturday, Sunday, and legal holidays shall not be considered a working day. It shall be in such form and contain such information as required by the Ohio EPA.

(2) Except as provided in paragraph (A)(6) and (A)(7) of this rule, such applications shall contain, as a minimum, information regarding:

- (a) The purpose of the proposed burning;
- (b) The nature of quantities of material to be burned;
- (c) The date or dates when such burning will take place;
- (d) The location of the burning site, including a map showing distances to residences, populated areas, roadways, air fields, and other pertinent landmarks; and
- (e) The methods or actions which will be taken to reduce the emissions of air contaminants.

(3) Permission to open burn shall not be granted unless the applicant demonstrates to the satisfaction of the Ohio EPA that open burning is necessary to the public interest; will be conducted in a time, place, and manner as to minimize the emission of air contaminants; and will have no serious detrimental effect upon adjacent properties or the occupants thereof. The Ohio EPA may impose such conditions as may be necessary to accomplish the purpose of Chapter 3745-19 of the Administrative Code.

(4) Except as provided in paragraph (A)(6) of this rule, permission to open burn must be obtained for each specific project. In emergencies where public health or environmental quality will be seriously threatened by delay while written permission is sought, the fire may be set with oral permission of the Ohio EPA.

(5) Violations of any of the conditions set forth by the Ohio EPA in granting permission to open burn shall be grounds for revocation of such permission and refusal to grant future permission, as well as for the imposition of other sanctions provided by law.

(6) The Ohio department of commerce, division of state fire marshal, may request permission to open burn on an annual basis for the purpose of training firefighters on pre-flashover conditions using the Ohio fire academy's mobile training laboratory at either the academy or at other training sites in Ohio. The annual application required pursuant to paragraph (A)(1) of this rule shall contain information as required in paragraph (A)(2) of this rule, except the information required in paragraphs (A)(2)(c) and (A)(2)(d) of this rule need not be provided unless it is available at the time of submittal of the application. The academy shall contact the appropriate Ohio EPA district office or local air agency at least five working days before each training session of the date or dates when the training session will take place and its location. Saturday, Sunday, and legal holidays shall not be considered a working day.

(7) For open burning defined under paragraph (D)(2) of rule 3745-19-03 and paragraph (C)(2) of rule 3745-19-04 of the Administrative Code, permission to open burn shall not be granted unless the applicant provides proof of written notice of intent to demolish received by the appropriate Ohio EPA field office in accordance with rule 3745-20-03 of the Administrative Code.

(B) Notification:

(1) Notification shall be submitted in writing at least ten working days before the fire is to be set. Saturday, Sunday, and legal holidays shall not be considered a working day. It shall be in such form and contain such information as shall be required by the Ohio EPA.

(2) Such notification shall inform the Ohio EPA regarding:

- (a) The purpose of the proposed burning;
- (b) The nature and quantities of materials to be burned;
- (c) The date or dates when such burning will take place; and
- (d) The location of the burning site.

(3) The Ohio EPA, after receiving notification, may determine that the open burning is not allowed under Chapter 3745-19 of the Administrative Code and the Ohio EPA shall notify the applicant to this effect.

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

Statutory Authority: R.C. Section 3704.03(E)

Rule Amplifies: R.C. Section 3704.03(A), 3704.03(E)

Prior Effective Dates: 9/21/73, 11/30/87, 11/27/00

3745-19-06 Open burning unilateral order.

(A) The director may assess and collect administrative penalties from any person who violates any of the rules in this chapter. Through unilateral orders, the director may assess a violator not more than two hundred-fifty dollars per day for each separate violation of the rules in this chapter for open burning on residential property and not more than one thousand dollars per day for each separate violation of the rules in this chapter for open burning on industrial, commercial, institutional, or municipal property. Commercial property includes construction sites, including, but not limited to, the construction of residential homes, if the sites are not properly permitted under section 3704.11(C) of the Revised Code. A separate violation is assessed for each day (24-hour period) the violation occurs.

(B) The director's authority under paragraph (A) of this rule is in addition to, and not in limitation of, the director's authority under section 3704.06 of the Revised Code to request the attorney general to initiate legal action to seek penalties of not more than twenty-five thousand dollars for each day of each violation for the violation of rules in this chapter.

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

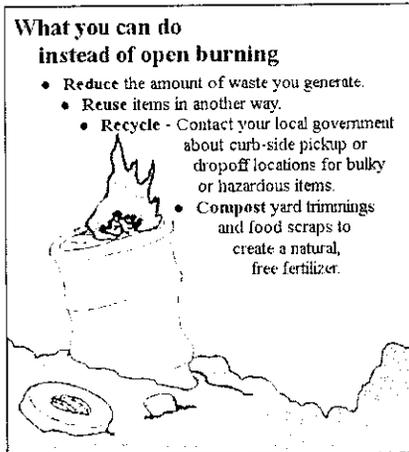
or visit our Web site at
www.epa.state.oh.us/dapc/general/openburning.html

OhioEPA
State of Ohio Environmental Protection Agency

Before You Light It...

Know Ohio's Open Burning Regulations

July 2006



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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.



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

PLAIN TOWNSHIP FIRE DEPT.

FIRE PREVENTION BUREAU
2600 Easton St. N.E.
North Canton, Ohio 44721
330 492-4089

Troy

DATE: 3/21/07
ADDRESS: Harrisburg Rd NE
OCCUPANT: Dan's Tree Service
PERMIT NO.: RECEIVED

ATTENTION: Dan Andrews

NOTICE OF FIRE HAZARD

MAR 23 2007

CANTON CITY HEALTH DEPT.
AIR POLLUTION DIVISION

- 1. COMBUSTIBLES
 - A. Excessive Storage
 - B. Improper Storage
 - C. Other
- 2. HEAT APPLIANCES
 - A. Close Combustibles
 - B. Enclose
 - C. Need Repair
 - D. Other
- 3. EXTINGUISHERS
 - A. Hang
 - B. Service
 - C. Hidden
 - D. Inadequate
- 4. FLAMMABLES
 - A. Improper Storage
 - B. No Safety Can
 - C. Improper Use
 - D. Heat Too Close
- 5. COMPRESSED GAS CYL.
 - A. Not Secure
 - B. Improper Storage
 - C. Not Labeled
- 6. HOOD/DUCT SYSTEM
 - A. Need Recharge
 - B. Service/Repair
 - C. Excess Grease
 - D. Other
- 7. OCCUPANCY
 - A. Posted
 - B. Not Posted
 - C. Not Required
 - D. Re-check
- 8. STAIRWAYS
 - A. No Handrail
 - B. Blocked
 - C. Door Open
 - D. Storage
 - E. Other
- 9. EMERGENCY LIGHTS
 - A. Needed
 - B. Service
 - C. Other
- 10. EXIT SIGNS
 - A. Inoperative
 - B. Needed
 - C. Confusing
 - D. Other
- 11. DOORS
 - A. Blocked
 - B. Need Repair
 - C. Not Self-Closing
 - D. Unapproved
 - E. Other
- 12. SERVICE AREAS
 - A. Improper Mop Storage
 - B. Rag Storage
 - C. Comb. Storage
 - D. Trash
 - E. Paper
- 13. HOUSEKEEPING
 - A. Poor
 - B. Fair
 - C. Good
- 14. EXITS/AISLES
 - A. Blocked
 - B. Locked
 - C. Inadequate
 - D. Other
- 15. ELECTRICAL
 - A. Overloaded
 - B. Defective Cords
 - C. Extension Cords
 - D. Open Boxes
 - E. Storage-front of panels
- 16. MISCELLANEOUS
 - A. Ceiling Tiles
 - B. Alarm System
 - C. Emergency Generator
 - D. Fire Drills
 - E. Gas Meters
 - F. Smoking Materials
 - G. Other *Open burning*
- 17. SPRINKLER/STANDPIPE
 - A. Service/Repair
 - B. Blocked
 - C. Coverage
 - D. Other
- 18. FIRE WALLS/DOORS
 - A. Inoperative
 - B. Protected Openings
 - C. Breached
 - D. Other

Copied to the EPA.

REMARKS:
(16) Illegal open burning of agricultural waste produced off-site
() (tree trimming materials) being burned in a burn barrel.
() further, the fire was unattended and no method of
() extinguishment was present.
() The illegal open burning shall cease immediately.

It is our duty to inform you that the Supreme Court of Ohio has ruled that if the owner or occupant of a building is negligent of fire hazards and anyone suffers loss or injury because of such negligence, that the owner or occupant of the building is liable for damages.

PENALTIES- \$505.99 Revised Code. Whoever violates section \$505.374 shall be guilty of a minor misdemeanor. Each day of continued violation of this section shall constitute a separate offense.

You are hereby notified to remedy the above violations within immediately working days.

BY: Troy J. Blazyn
Certified State Fire Inspector # 0011023

Owner or agent Mailed to:
670 Shady side in
Canton 44710

Page 1 of 1

White - Occupant/Owner Copy
Yellow - Inspector's Copy
Pink - File Copy

<u>2001CVI07474</u>	ANDREWS, (CAPALINGO) DAN	Defendant		Small Claims	Canton Municipal
<u>2004CVI04828</u>	ANDREWS, DAN	Defendant		Small Claims	Canton Municipal
<u>2001CVI00852</u>	ANDREWS, DAN	D		Small Claims	Massillon Municipal
<u>2006CV04820</u>	ANDREWS, DANIELLE	Plaintiff	12-DEC-06	Civil	Common Pleas
<u>2005CV00690</u>	ANDREWS, DANIELLE	Plaintiff	02-MAR-05	Civil	Common Pleas
<u>2001DV00102</u>	ANDREWS, DANNY	Respondent	11-JUL-01	Civil Protection Order	Common Pleas
<u>1998CVI07474</u>	ANDREWS, DANNY	Defendant		Small Claims	Canton Municipal
<u>1998CRB00218</u>	ANDREWS, DANNY L 04-15-1976	Defendant		Criminal	Canton Municipal
<u>1999CRB03106</u>	ANDREWS, DANNY LEE 04-15-1976	Defendant		Criminal	Canton Municipal
<u>2001CRB03124</u>	ANDREWS, DANNY L 04-15-1976	Defendant		Criminal	Canton Municipal
<u>2005CRB05832</u>	ANDREWS, DANNY LEE 04-15-1976	Defendant		Criminal	Canton Municipal
<u>1998TRD03333</u>	ANDREWS, DANNY L 04-15-1976	Defendant		Traffic	Canton Municipal
<u>1995TRD04844</u>	ANDREWS, DANNY L 04-15-1976	Defendant		Traffic	Canton Municipal
<u>1994TRD07929</u>	ANDREWS, DANNY L 04-15-1976	Defendant		Traffic	Canton Municipal
<u>1996CRB00181</u>	ANDREWS, DANNY LEE 04-15-1976	Defendant		Criminal	Massillon Municipal
<u>1995CRB00562</u>	ANDREWS, DANNY LEE 04-15-1976	Defendant		Criminal	Massillon Municipal
<u>1998CRB00836</u>	ANDREWS, DANNY LEE 04-15-1976	Defendant		Criminal	Massillon Municipal
<u>1994CRB01836</u>	ANDREWS, DANIEL L 04-15-1976	Defendant		Criminal	Massillon Municipal
<u>1995TRC07394</u>	ANDREWS, DANNY L 04-15-1976	Defendant		Traffic	Massillon Municipal
<u>1994TRD00549</u>	ANDREWS, DANIEL F, JR 06-15-1973	Defendant		Traffic	Massillon Municipal
<u>1996TRD00757</u>	ANDREWS, DANNY L 04-15-1976	Defendant		Traffic	Massillon Municipal
<u>1995TRD01859</u>	ANDREWS, DANNY L 04-15-1976	Defendant		Traffic	Massillon Municipal
<u>2006TRD02835</u>	ANDREWS, DANIELLE N 02-12-1985	Defendant		Traffic	Massillon Municipal
<u>1995TRD04674</u>	ANDREWS, DANNYT L 04-15-1976	Defendant		Traffic	Massillon Municipal
<u>2006TRD05374</u>	ANDREWS, DANIELLE NICOLE 02-12-1985	Defendant		Traffic	Massillon Municipal
<u>1998TRD05387</u>	ANDREWS, DANNY L	Defendant		Traffic	Massillon Municipal

1994TRD06551	04-15-1976 ANDREWS, DANNY L 04-15-1976	Defendant	Traffic	Massillon Municipal
1998TRD09584	ANDREWS, DANNY L 04-15-1976	Defendant	Traffic	Massillon Municipal
1994TRD10567	ANDREWS, DANNY L 04-15-1976	Defendant	Traffic	Massillon Municipal
1999TRD11552	ANDREWS, DANNY L 04-15-1976	Defendant	Traffic	Massillon Municipal
1998TRD13000	ANDREWS, DANIEL J 12-28-1966	Defendant	Traffic	Massillon Municipal

[New Search](#)