

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

James M. Adams R.S., MPH
Health Commissioner

Daniel J. Aleman
APCD Administrator



CERTIFIED MAIL

Tuesday, January 15, 2008

ADELMAN'S PICKUP AND VAN PARTS CORP.
ATTN: JOE RACANO
3140 MAHONING RD NE
CANTON, OH 44705

Sent to: Larry Adelman 01/16/08
2000 Kaysburg DR SE
Canton, OH 44707

**Re: NOTICE OF VIOLATION: OHIO ADMINISTRATIVE CODE 3745-19-03;
ILLEGAL OPEN BURNING IN RESTRICTED AREA.**

Dear Mr. Racano,

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. APCD employees are authorized under Ohio Revised Code 3704.03 (L) to enter upon private property to determine if there is noncompliance with OEPA regulations.

Your facility was found performing an unpermitted illegal open burning on Tuesday, January 15, 2008, 12:50 PM at the commercial location of 3140 MAHONING RD NE CANTON, OH 44705. I inspected the property to view and obtain photographic evidence of the illegal open burning which was being conducted to keep an employee warm while working outside. You stated that you were unaware that it was not permissible. Upon my visit, I had provided you the Ohio Administrative Code 3745-19-03; Ohio EPA regulations on open burning in a restricted area and the City of Canton Codified Ordinance 1513.02 on open burning. Our discussion concluded that you would have your employee discontinue feeding the fire any more wood and not conduct any future open burning of skids because they are considered as construction materials.

Since your facility is located in what the OEPA defines as a restricted area, 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.

The United States EPA states that open burning can release a number of pollutants, including cadmium, lead, mercury, dioxin, sulfur dioxide, hydrogen chloride, nitrogen dioxide, and particulate matter. Dioxin and mercury are of particular concern because they are toxic; persist in the environment, and bioaccumulate.

Dioxins are highly toxic, long-lasting organic compounds. They are dangerous even at extremely low levels and have been linked to several health problems, including cancer and developmental and reproductive disorders. Dioxins are formed when products containing carbon and chlorine are burned. Even very small amounts of chlorine can produce dioxins. Because burn barrels do not have the same strict controls as municipal incinerators, barrel burning releases significant amounts of dioxins. Trying to prevent dioxins from forming by separating out items high in chlorine content is not effective, since low levels of chlorine are present in most household trash. Dioxins accumulate in the food chain. Airborne dioxins can settle onto feed crops, which are then eaten by domestic meat and dairy animals. Dioxins also can settle on water or enter waterways through soil erosion. These dioxins accumulate in the fats of animals, and then in humans when we consume meat, fish, and dairy products.

Be aware that, by repeat violations, you may subject yourself to the possibility of enforcement actions. This office, at any time, can initiate enforcement proceedings that can result in fines starting at \$250 a day for each violation. This agency strongly advises you to conduct any future open burning in strict compliance with the Ohio EPA regulations so as to avoid any further response from either the fire department or this Agency.

This Agency would appreciate your cooperation with regard to this matter. Should you have any questions concerning this letter or the regulations, please contact me at (330) 489-3385 extension 4664.

Sincerely,



Denny Tan

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

Enc:

- 1) Photographs
- 2) OAC 3745-19-03
- 3) City of Canton Codified Ordinance 1513.02, 1513.03

Pc:

- 1) Addressee via certified mail
- 2) Non-Residential Open burn file
- 3) NOV file

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

For delivery info: mailto:usps@post.net; website: www.usps.com

Postage	\$.58
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.38

Sent To: **ADELMAN'S PICKUP & VAN PARTS COF**
ATTN: JOE RACANO

Street, Apt. No.,
or PO Box No. **3140 MAHONING RD NE**

City, State, ZIP+4 **CANTON OH 44705**

PS Form 3800, June 2002 See Reverse for Instructions

7006 0810 0004 5529 2670

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. <p>1. Article Addressed to:</p> <p style="text-align: center; margin-top: 20px;"> ADELMAN'S PICKUP & VAN PARTS CORP ATTN: JOE RACANO 3140 MAHONING RD NE CANTON OH 44705 </p>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Address</p> <p>B. Received by (Printed Name) JOE RACANO C. Date of Delivery 2-17-08</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <hr/> <p>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.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number <small>(Transfer from service label)</small></p>	<p>7006 0810 0004 5529 2670</p>

June 5, 1991

Mr. Donald R. Schregardus
State of Ohio Environmental Protection Agency
P.O. Box 1049
1800 WaterMark Dr.
Columbus, Ohio 43266 - 0149

Dear Mr. Schregardus:

I have enclosed for your review a letter to Ms. Ann Cole and a recent memo to our employees.

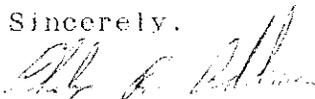
Adelman's Truck Parts is very careful regarding open burning. I assure you that our company is abiding by the law.

This letter is in no way an admission of guilt to any of your allegations, it is a written statement that it is our intention and practice to comply with all Ohio EPA open burning regulations.

Please call me if you have any questions at 1 - 216 - 456-0206.

Thank You.

Sincerely,



Philip R. Adelman

MEMO

TO: ALL ADELMAN'S TRUCK PARTS EMPLOYEES

FROM: PHILIP R. ADELMAN

DATE: JUNE 4, 1991

THE OHIO EPA AND THE CANTON CITY HEALTH DEPARTMENT HAVE INFORMED ME THAT WE MUST STRICTLY ABIDE BY THE NO OPEN BURNING REGULATIONS.

PLEASE IMMEDIATELY EXTINGUISH ANY FIRES ACCIDENTALLY STARTED. THE CUTTING TRUCKS HAVE BEEN EQUIPPED WITH 20 LB. FIRE EXTINGUISHERS. THESE EXTINGUISHERS SHOULD BE CHECKED EVERY DAY TO MAKE SURE THEY ARE PROPERLY CHARGED. HAVE YOUR SUPERVISOR CALL INTERSTATE FIRE EXTINGUISHER COMPANY IF ANY EXTINGUISHER READS ON RECHARGE.

ONCE AGAIN, DO NOT TAKE ANY OPEN BURNING LIGHTLY, EXTINGUISH IMMEDIATELY.

THANK YOU FOR YOUR COOPERATION.



Photo shows illegal open burn of pallets. This is considered as commercial waste disposal of construction materials. Size of fire is approx 5 feet by 4 feet.

3140 Mahoning RD NE – McKinley TWP. Photo taken by Staff Field Inspector II, Denny Tan on 01/15/2008 at 1:50 PM.



Photo shows illegal open burn of pallets. This is considered as commercial waste disposal of construction materials. Size of fire is approx 5 feet by 4 feet.

3140 Mahoning RD NE – McKinley TWP. Photo taken by Staff Field Inspector II, Denny Tan on 01/15/2008 at 1:50 PM.