

Air Pollution Control Division

Ohio EPA

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

CERTIFIED MAIL

May 16, 2007

Mr. Sam Harris
1700 Manchester Rd NW, Lot 25
Massillon, OH 44647

Re: INFORMATION RELATING TO OPEN BURNING IN RESTRICTED AREAS

Dear Mr. Harris:

The Canton City Health Department, Air Pollution Control Division is authorized to represent the Ohio EPA in air quality matters within Stark County.

This Agency is in receipt of a report from the North Lawrence Volunteer Fire Department that they extinguished a waste disposal fire at your residence in the evening of May 11, 2007. Your fire was in violation of Ohio EPA regulations, specifically Ohio Administrative Code 3745-17-03 on open burning in restricted areas.

In addition, please be aware that when you burn plastic, you put toxic compounds into the air. I enclose a short written statement on this subject from the Argonne National Laboratory. I also enclose a Ohio EPA pamphlet, "Before You Light It..." which addresses open burning.

For the benefit of you and your neighbors, there are open fires that are allowed in restricted areas. For example, recreational fires like campfires or cookout fires are permitted, subject to restrictions such as clean fuel, no waste disposal, and fire size. I enclose a copy of OAC 3745-19-03 which deals with open fires in restricted areas.

By copy of this letter, property owners are advised that they can be held responsible for environmental violations on the part of tenants.

Sincerely,


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

Enclosures: 1. "Burning Plastic" from the Argonne National Laboratory Newton web site.
2. Ohio Administrative Code 3745-19-03
3. Ohio EPA Pamphlet "Before You Light It..."

cc: Addressee via First Class Mail
Samuel E. Campain, 1656 Manchester Rd NW, Massillon, OH 44647 (Certified Mail)
Samuel E. Campain, 1656 Manchester Rd NW, Massillon, OH 44647 (First Class Mail)
Chief William Mutersbaugh, PO Box 230, North Lawrence, OH 44666



North Lawrence Vol. Fire Dept., Inc.

INCIDENT REPORT

4052 Alabama Ave NW PO Box 230
North Lawrence, Ohio 44666

Emergency Phone 330.832.7033 Bus. Phone 330.832.6347 Fax 330.832.1932
nlvfd@sssnec.com



INCIDENT NUMBER: 07-221 DAY OF WEEK: Friday DATE: 5-11-07

Alarm Time: 2009 Hrs. RESPONDING TRUCKS (OTHER)
Enroute Time: 2011 Hrs. In Service Time: 2028 Hrs. E-4 E-7 T-3 1-15
On Scene Time: 2023 Hrs. In Quarters Time: 2050 Hrs. T-6 T-5 R-8 R-10

INCIDENT LOCATION: 1700 Manchester NW
INCIDENT ADDRESS: 1700 Manchester NW Lot 25
ACTION TAKEN: Extinguish Rubbish Fire

NAME of OCCUPANT: SAM HARRIS TELEPHONE: (330) 830-4971
ADDRESS of OCCUPANT: 1700 Manchester NW Lot #25
NAME of OWNER: SAM CHAMPION TELEPHONE: (330) 837-1586
ADDRESS of OWNER: 1700 Manchester NW Massillon Oh 44647
INSURANCE COMPANY: Unknown AGENT: _____

METHOD of ALARM: Firephone Non-911 TYPE of INCIDENT: Open burn

MUTUAL AID: GIVEN TO [] RECEIVED BY: [] DEPARTMENT: _____

TYPE of PROPERTY: [] Residential [] Vehicle
[] Mobile Home [x] Land
[] Farm [] Other (Specify) _____

Vehicle: Year _____ Make _____ Model _____ Vin. # _____ Plate _____ State _____

AREA of ORIGIN: Yard LEVEL of ORIGIN: Ground
POSSIBLE CAUSE: _____ FLAME DAMAGE: _____
METHOD of EXTINGUISHMENT: Water Approx 100 gal SMOKE ALARM DETECTORS: _____

FIRE PERSONNEL: 9 # MUTUAL AID PERSONNEL: _____

NUMBER OF INJURIES: _____ NUMBER OF FATALITIES: _____
Fire Service: [] Other: [] Fire Service: [] Other: []

OFFICER IN CHARGE: GARY Johnson TITLE: CAPT

REMARKS: Small open burn, Containing: Plastic Siding, fiber Glass, Tractor Seat, and Wood. Smelled of trash Fire In Area Caller Is An Asthma Pt.

Fireman Responding: GARY Johnson CHAD Mutersbaugh At Station: 31, 30, 29, 15, 25, 5, 45

Person Making Report: CHAD M MUTERSBAUGH Title: Firefighter
Chad M Mutersbaugh FE NLFD

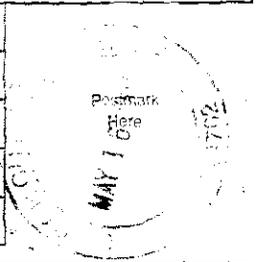
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For delivery information visit our website at www.usps.com

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OFFICIAL

Postage	\$.41
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.21

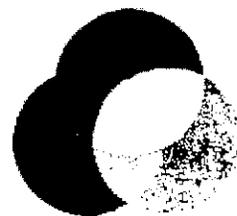


Sent To **SAM HARRIS**
Street, Apt. No.,
or PO Box No. **1700 MANCHESTER RD. NW LOT 251**
City, State, ZIP+4 **MASSILLON OH 44647**



Ask A Scientist©

Chemistry Archive



NEWTON
Ask A Scientist

Burning Plastic

Name Alvin
Status student
Age 30s

Question - What toxic substance is produced that is harmful to our health when a plastic material is burned?

Hi Alvin!

Many plastics, particularly PVC when burned results in emissions of the deadly poison named dioxin. Dioxin is a toxic organic chemical that contains chlorine and is produced when chlorine and hydrocarbons are heated at high temperatures. To inhale dioxin or to be exposed anyway to its fumes can cause many deadly results.

Dr. Mabel R.

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There are lots of them. Any carbon-based material produces hazardous products under most combustion conditions, mostly due to incomplete combustion. For instance, burning gasoline can produce carbon monoxide and hydrocarbons, burning charcoal can produce carbon monoxide, and burning methanol can produce formaldehyde.

Some types of plastic contain elements besides the standard carbon, hydrogen, and oxygen. Nylons contain nitrogen, and polyvinyl chloride contains, of course, chlorine. These constituents also find their way into the combustion products. Probably the particular component you have heard about most is TCDD, which is an abbreviation for the chemical name tetrachloro-dibenzo-dioxin. This compound contains four chlorine atoms, and is inevitably formed when polyvinyl chloride plastics are burned. (Complete combustion of PVC would yield only water, carbon dioxide, and hydrogen chloride; in practice, some incomplete combustion products such as TCDD are always formed, if at low levels.) TCDD is also formed when wood burns, because wood also contains small amounts of chlorine. Because of the much higher proportion of chlorine in PVC, however, it is the material leading to the highest levels of TCDD.

The toxicity of TCDD to animals is well-established. It is often considered to be the man-made compound most toxic to animals. Its toxicity to humans, however, is not as well-established. The only absolutely confirmed human health effect from exposure to TCDD is a skin rash called chloracne. Other health effects are suspected. It is considered a carcinogen on the basis of animal studies.

TCDD is also an unwanted by-product of the manufacture of the herbicides 2,4-D and 2,4,5-T. A manufacturing accident at a plant manufacturing these chemicals occurred near Seveso, Italy in 1976 released an estimated 1-10 lb of TCDD into the surrounding countryside, killing many farm animals and causing chloracne. Since 2,4-D and 2,4,5-T were components of the defoliant "Agent Orange" used in Vietnam, many U.S. servicemen (and of course Vietnamese) were exposed to elevated levels of TCDD. TCDD is thus suspected

as the cause of the symptoms attributed to "Agent Orange" exposure.

Richard E. Barrans Jr., Ph.D.
Assistant Director
PG Research Foundation, Darien, Illinois

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NEWTON Homepage	Ask A Question



*NEWTON is an electronic community for Science, Math, and Computer Science K-12 Educators.
Argonne National Laboratory, Division of Educational Programs, Harold Myron, Ph.D., Division Director.*



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.

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

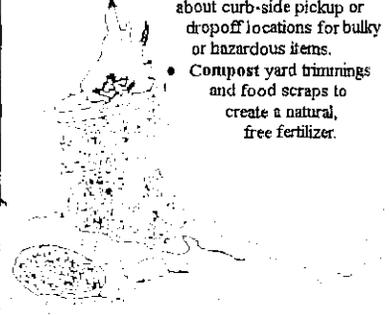
Before You Light It...

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.



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