

Conusop

Air Pollution Control Division

Canton City Health Department

420 Market Avenue North • Canton, Ohio • 44702-1544
(330) 489-3385 • Fax: (330) 489-3335

Daniel J. Aleman, P.E., MBA
APCD Administrator

James M. Adams, MPA
Health Commissioner

OhioEPA

APC Contractual Representative
Serving All of Stark County

CERTIFIED MAIL

August 18, 2009

Mr. William Sills
122 43rd St. SW
Canton, OH 44706

Re: INVESTIGATION OF OPEN BURNING

Dear Mr. Sills:

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 Thursday August 13, 2009 I was at your residence and we talked about the prohibition of open burning of landscape waste. You showed me your burn pile in the back yard and stated that, on the instruction of the Canton Township Fire Department, you were letting the fire burn itself out. Please be advised that open burning of any kind of refuse is prohibited by the Ohio EPA, specifically in Ohio Administrative Code 3745-19-04. I enclose a copy.

Sincerely,

Gregory A. Clark

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

Enclosure: OAC Rule 3745-19-04

cc: Addressee via First Class Mail

✓Correspondence File

Complaints, Open Burn, Residential, Canton Township

Chief Scott McKibben, Canton Township Fire Dept., 202 49th St SE Canton, OH 44707



Open burning of landscape waste at 122 43rd St SW, Canton Township. G. A. Clark 08/13/09

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7009 0080 0002 0413 1681

Service
REGISTERED MAIL RECEIPT

APC/60

2.80
2.30



MR. WILLIAM SILLS

122 43RD ST. SW

CANTON OH 44706

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

MR WILLIAM SILLS
122 43RD ST. SW
CANTON OH 44706

2. Article Number

(Transfer from service label)

7009 0080 0002 0413 1681

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
x William M. Sills Address

B. Received by (Printed Name) Date of Delivery
William M. Sills

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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 3715-19-01 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.