

Air Pollution Control



APC Contractual Representative

Serving All of Stark County

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, MPH
Health Commissioner

CERTIFIED MAIL

August 24, 2010

4616

Mr. Edward A. Overcashier
4101 12th St NW
Canton, OH 44708-3564

**Re: WARNING LETTER RE: ILLEGAL OPEN BURNING ON YOUR
PROPERTY IN PERRY TOWNSHIP**

Dear Mr. Overcashier:

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.

In response to a report from the Perry Township Fire Department, I was on your property on August 19, 2010 and observed the evidence of a recent large fire in the burn ring in your back yard. There is evidence of violation of two Ohio EPA regulations: Ohio Administrative Code 3745-19-03(B)(2)(b) because the fire was set for the purpose of waste disposal (tree trimmings) and OAC 3745-19-03(B)(2)(c) because the fire was in excess of three feet in diameter.

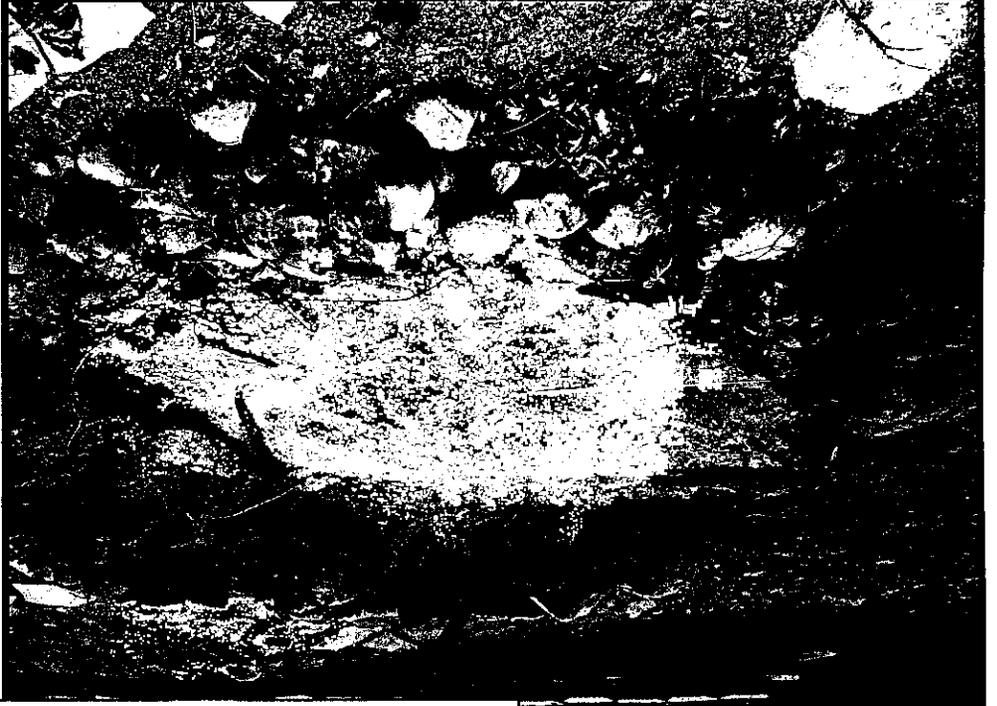
There will be no EPA fines or enforcement at this time, but please be aware that future violations can incur fines of \$250 per day per violation.

Sincerely,

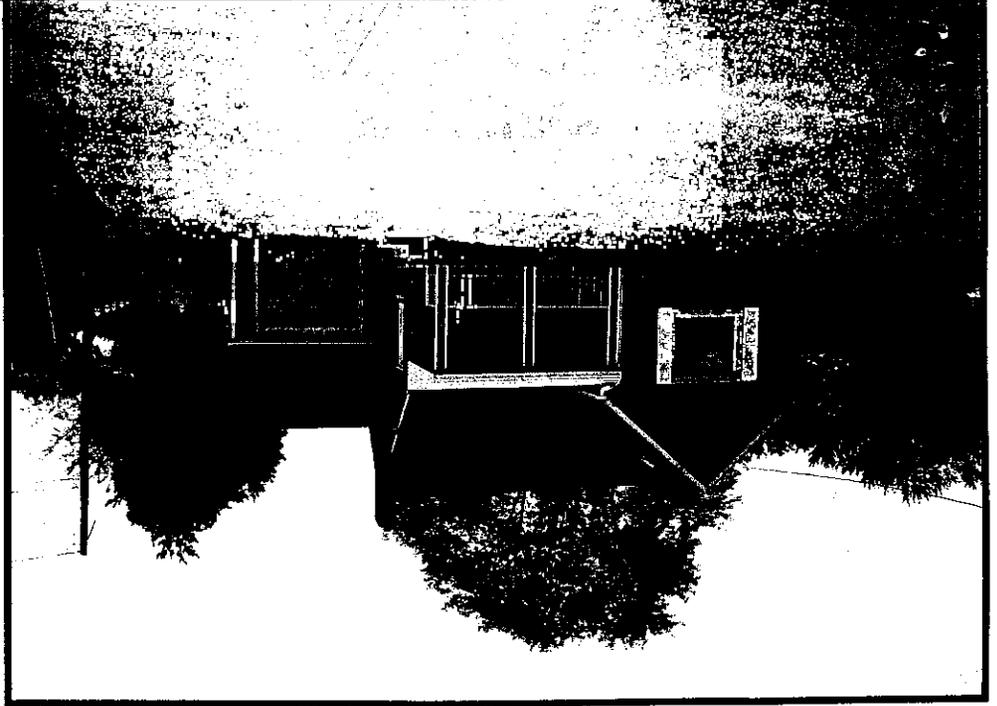
Gregory A. Clark, CHMM, CAHES
Air Pollution Control Engineer

Enclosures: OAC Rule 3745-19-03; Perry Township Fire FAQs; photos

cc: Addressee via First Class Mail
Mark Abbott, Perry Township Fire Dept., 440 Canford Ave. NW, Massillon, Ohio 44646.
Correspondence File
Complaints, Open Burn, Residential, Perry Township
GA Clark



4616 12th St NW, Canton OH 44708 (Perry Twp) 08/19/20 GA Clark



This tape is extended three feet.



1.05	2.80	2.30	6.15
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MR. EDWARD A. OVERCASHER
4616 12TH ST NW
CANTON, OH 44708-1544

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. EDWARD A. OVERCASHER
4616 12TH ST NW
CANTON, OH 44708-1544

2. Article Number
(Transfer from service label)

7009 0080 0002 0413 2381

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
 [Signature]

B. Received by (Printed Name) C. Date of Delivery

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

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

4. Restricted Delivery? (Extra Fee) Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7009 0080 0002 0413 2381

2.80	2.30	5.54
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MR. EDWARD A. OVERCASHER
4161 12TH ST NW
CANTON, OH 44708-3564

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. EDWARD A. OVERCASHER
4161 12TH ST NW
CANTON, OH 44708-3564

2. Article Number
(Transfer from service label)

7009 0080 0002 0413 2374

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
 [Signature]

B. Received by (Printed Name) C. Date of Delivery

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

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

4. Restricted Delivery? (Extra Fee) Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7009 0080 0002 0413 2374

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.

Welcome to Perry Township Online



FIRE DEPARTMENT FREQUENTLY ASKED QUESTIONS



Mission Statement
Fire Prevention
Station 1
Station 2
Station 3
Fire Home

Are we allowed to burn yard waste? (Leaves, tree limbs, brush, trash of any kind, etc.)

Answer: NO! This is an E.P.A. law for the State of Ohio.

What about a burning permit?

Answer: Not available- open burning is against the law. Ceremonial fires, agricultural, construction waste may be able to get special permit from E.P.A. at the following number **(330) 489-3385**.

How can yard waste be disposed of if not burned?

Answer: Contact Perry Township Recycling Center, Jackson Township Recycle Center, or Earth & Woods.

What are the rules for cookouts and bonfires (recreational) fires?

Answer: Per EPA, no larger than 3 foot across and 2 foot high (3' X 2') fire of clean dried lumber for no more than 3 hours in time (Must be 25 feet from any structure, and area around the fire free of debris). Absolutely can not burn anything for disposable purposes and say that it's a cooking or recreational fire. Make that the weather conditions are favorable low winds and not to dry.

Call the Perry Township Fire Department to report your fire at the following phone number (330) 833-2505.

How do we get copies of reports? (For insurance, billing, investigations, environmental assessments, etc.)

Answer: Any records that are public record may be requested; we need to the date of service, where incident occurred, to whom and what information is needed. Privileged information must be subpoenaed. Reports can be picked up at the Fire Administration Office weekdays 8am to 4:30pm, mailed or faxed as long as we have the name and number of who is requesting the report.

Who do I contact for billing questions?

Answer: Refer to "billing" person at **(330) 830-9633**

Does the fire department pump basements or yards?

Answer: No, only in extreme emergencies.

Does the fire department fill and/ or drain swimming pools?

Answer: No, We don't have the hose available to borrow to

connect to the hydrants for filling the pools either. To use the hydrant water you must contact the water company, and usually the rental companies have hose for rental. There are water-hauling companies in the yellow pages of the phone book.

Does the fire department have CPR and EMT classes?

Answer: Refer to the fire department training officer (330) 833-3865, Canton City Schools, Stark State College for EMT classes. For CPR classes refer to American Heart Association or Red Cross.

Does the fire department have station tours and programs?

Answer: Yes, Please contact Fire Administration Office (330) 833-3865 they will have the appropriate personnel make contact with caller.

Needing information on the Richville Homecoming and Parade?

Answer: Call (330) 832-5220

What the time and date for Halloween?

Answer: Call (330) 833-2141 or (330) 833-3865

Why does my smoke and CO detectors chirp?

Answer: Intermittent "chirping" usually means the detector battery needs replaced.

What kind of detectors does the fire department recommend?

Answer: UL or Factory Mutual (FM) tested.

How do I get an application to join the fire department?

Answer: Call Fire Administration Office (330) 833-3865

How do I find out where the closest fire hydrant is or closest fire station for my insurance company?

Answer: Call Fire Administration Office (330) 833-3865

How do I order the Reflective address signs?

Answer: Call (330) 479-9316

Can the meeting rooms and/ or chairs and tables be rented from the fire stations?

Answer: We don't lend out chairs and table nor do we rent out the meeting rooms, they are fire department use.

How do I get a residential, commercial, or business inspection done?

Answer: Contact the Perry Township Fire Prevention Bureau at (330) 833-3865

How do I schedule fire alarm, sprinkler, and hood system test?

Answer: Contact the Perry Township Fire Prevention Bureau at (330) 833-3865

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