



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

Re: Richland County  
Open Burning Complaint  
**Notice of Violation (NOV) &  
Return to Compliance (RTC)**

October 25, 2012

CERTIFIED MAIL

Mr. Robert J. Schmidt  
Property Owner  
843 Forest Drive  
Mansfield, Ohio 44905

Dear Mr. Schmidt:

This office received a complaint on October 15, 2012, concerning open burning being conducted on your property. My investigation, conducted on October 22, 2012, shows brush and household trash was burned on the property for disposal purposes, within 1000' of adjacent residences and this was done in a restricted area.

Based on these findings, there is sufficient evidence to determine that illegal open burning did occur and the complaint is justified. This is a violation of both Ohio Administrative Code (OAC) rule 3745-19-03(A) and Ohio Revised Code (ORC) 3704.05.

A copy of the OAC rules pertaining to open burning has been enclosed for your review. Please provide a written response acknowledging your receipt of this letter and your understanding of the rules. If you do not understand the rules please contact this office for additional explanation before responding. Your response is requested no later than November 12, 2012.

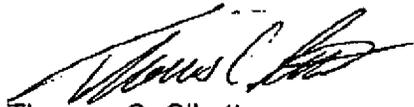
Because the fire has been extinguished, you are no longer in violation and the property is considered to have returned to compliance.

Please be advised that the submission of information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code Section 3704.06. The Ohio EPA will make a decision whether to pursue such penalties regarding this matter at a later date. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is your future compliance with applicable Ohio EPA requirements.

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If you have any questions concerning this letter or the regulations, please feel free to call me at (419) 373-3137 or e-mail at [thomas.cikotte@epa.state.oh.us](mailto:thomas.cikotte@epa.state.oh.us).

Sincerely,



Thomas C. Cikotte  
Division of Air Pollution Control

/llr

Enclosure

pc: Richland County Health Department  
Thomas C. Cikotte, DAPC – NWDO  
Certified Mail Receipt Number 7009 1410 0001 1834 4423

ec: William MacDowell, U.S. EPA Region V  
Bruce Weinberg, DAPC - CO  
Tom Sattler, DAPC - NWDO  
Thomas C. Cikotte, DAPC – NWDO