



**Environmental
Protection Agency**

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 10, 2012

CERTIFIED MAIL

Ridge & Beatrice Forest
Tenants
867 Forest Drive
Mansfield, Ohio 44905

Dear Mr. & Mrs. Forest:

This office received a complaint on October 1, 2012, concerning open burning being conducted on the property you rent at the address above. My investigation, conducted on October 3, 2012, shows an approximately four foot diameter fire pit has been used to burn the following materials for disposal purposes: household trash with plastics; aerosol cans; aluminum cans, and; food wastes. This occurred within 1000' of adjacent residences 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 similar letter and the OAC rules are also being sent to Mr. Ronald McCorkle because he, as the property owner, may be ultimately be held liable for current and future violations.

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 October 26, 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.

Ridge & Beatrice Forest
October 10, 2012
Page 2

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.

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.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/cg

Enclosure

pc: Richland County Health Dept.
Thomas C. Cikotte, DAPC – NWDO
Certified Mail Receipt Number 70091410000118345796

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