



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)**

November 28, 2012

CERTIFIED MAIL

Mr. Roy W. Price, Jr.  
Property Owner  
1143 River Drive  
Mansfield, Ohio 44906

Dear Mr. Price:

This office received a complaint on November 20, 2012, concerning open burning being conducted on your property at 800 Lehigh Ave in Mansfield, Ohio. My investigation, conducted on November 27, 2012, shows construction and demolition debris, including asphalt shingles, was burned for disposal purposes on a commercial property 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 December 14, 2012.

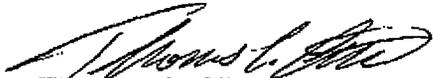
Because the fire has been extinguished, you are no longer in violation and the property is considered to have returned to compliance.

Please note that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. Ohio EPA will determine later whether to pursue such penalties in this case. 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.

Mr. Roy W. Price, Jr.  
November 29, 2012  
Page 2

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

/lr

Enclosure

pc: Richland County Health Department  
Thomas C. Cikotte, DAPC – NWDO  
Certified Mail Receipt Number 7009 1410 0001 1834 48058

ec: Brian Dickens, US EPA, Region V  
Bruce Weinberg, DAPC - CO  
Tom Sattler, DAPC - NWDO  
Thomas C. Cikotte, DAPC – NWDO