

**NOTICE OF VIOLATION – FINAL OFFER**

October 16, 2023

Attn: Jim Buckley  
Buckley Rumford Fireplaces  
1035 Monroe St.  
Port Townsend, WA 98368

Subject: Second Revised Settlement offer for Notice of Violation Number 6893

Mr. Buckley,

Thank you for continuing to discuss the subject violation with District Staff and for providing additional information regarding the subject violation. The District has made the following conclusions:

- We agree with your claim that you did not initiate the sale or target Placer County with advertising.
- You thought the building official determined compliance with District Rule 225, Wood Burning Appliances, when the building permit was issued.
- You believe the Rumford fireplace you sold meets the definition of a masonry heater. The Rumford fireplace you sold does not meet the definition of a masonry heater in Rule 225.
- You provided a letter requesting we revise Rule 225 to allow the sale of your fireplace. Unfortunately, we are unable to relax or “backslide” our rules to accommodate your request.
- In your letter dated 7/24/23, you wrote, “The District maintains the Rumford does not meet the EPA Phase II (stove) emissions rate expressed in grams of pollutant per hour. That is a ridged interpretation and is literally true,” admitting the stove does not meet the requirements. District Rules are intended to be interpreted literally.

You stated that you spent approximately \$39,000 on legal fees because you were concerned that penalties from this violation would put you out of business.

Considering the circumstances and the additional information provided, the District offers to settle this violation for a reduced monetary penalty of **One Thousand Six Hundred Seventy-Five Dollars (\$1,675)**. Please sign and return the enclosed Settlement Agreement, with a check payable

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to the Placer County Air Pollution Control District in the amount of the penalty, or a receipt showing that you have paid the penalty online at <http://www.placerair.org>.

Payment must be received no later than **November 15, 2023**. If this case is not settled by then, this settlement offer is withdrawn. For cases not settled through the mutual settlement process the District will seek resolution through court action. Please contact me at (530) 745-2337 to discuss this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce Springsteen', written over a light blue horizontal line.

Bruce Springsteen

Compliance and Enforcement Manager

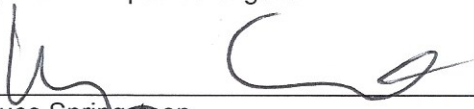
# AGREEMENT

## Notice of Violation No. 6893

Buckley Rumford Fireplaces shall pay a settlement of **One Thousand Six Hundred Seventy-Five Dollars (\$1,675)**, in lieu of civil penalties determined pursuant to Health and Safety Code Section 42402. The total monetary settlement is to be paid no later than **November 15, 2023**.

*Return of this agreement is requested by **November 15, 2023***

Failure to meet any of these agreement conditions shall void this agreement. In consideration of this settlement, the District agrees to refrain from seeking additional penalties with regard to the violation(s) set forth in this Notice of Violation letter. Notwithstanding this agreement, any evidence used in this matter may also be used in subsequent, but separate, enforcement actions. The signatures below signify agreement with the stated terms and conditions. By agreeing to these terms the alleged violator does not indicate acceptance of guilt.

  
\_\_\_\_\_  
Bruce Springsteen  
Compliance and Enforcement Manager  
Placer County Air Pollution Control District

10/16/23  
Date

\_\_\_\_\_  
Buckley Rumford Fireplaces

\_\_\_\_\_  
Date

Please return this form with payment of the monetary portion of the settlement to the *Placer County Air Pollution Control District, 110 Maple Street, Auburn, CA 95603*, in acknowledgment that these terms of settlement are accepted.

### RETURN THIS AGREEMENT WITH YOUR PAYMENT