



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

September 7, 2007

RE: **580 EARLY RD. YOUNGSTOWN
PARCEL ID # 532070228000
NOTICE OF VIOLATION**

CERTIFIED MAIL

Joe C. Pedaline
216 Lora Avenue
Youngstown, OH 44505

Dear Mr. Pedaline:

On August 28, 2007, the Ohio Environmental Protection Agency (Ohio EPA), accompanied by Mahoning County Sheriff's Department conducted a road side inspection of your property located at 580 Early Road, Youngstown. The purpose for the inspection was to investigate the property for open dumping of demolition debris. Present for this inspection were Deputy Walker and Deputy Piper of the Mahoning County Sheriff's Department, and I (Jarnal Singh) representing Ohio EPA. This location and/or site is not licensed by Ohio EPA as a construction and demolition debris (CDD) disposal facility as defined in Ohio Administrative Code (OAC) 3745-400-01(G). This letter provides notice of the violations identified by Ohio EPA during this inspection.

Ohio EPA observed the illegal disposal of demolition debris at the above identified property. Items such as wood, plastic, rubber/asphalt roofing, metal, railroad ties, plastic buckets, drain tile, brick, block, and other unrecognizable debris etc. was observed disposed of at this property.

These activities are in violations of the following:

VIOLATIONS

1. **OAC 3745-400-04(B)** Illegal disposal of CDD

This rule states in part, ". . . *No person shall conduct or allow illegal disposal of construction and demolition debris, as defined in rule 3745-400-01 of the Administrative Code . . .*"

Ohio EPA observed the illegal disposal of demolition debris at the above referenced property. Items such as scrap wood, plastic, rubber/asphalt roofing, metal, railroad ties, plastic buckets, drain tile, brick, block, and other unrecognizable debris etc. was observed disposed of at this property.

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To achieve compliance, you must remove and properly dispose of all the CDD at a licensed CDD disposal facility. Please provide copies of all disposal receipts to Ohio EPA within 15 days of receipt of this letter.

2. OAC 3745-37-01(C) License for a CDD facility

This rule states in part, *"No person shall establish, modify, operate or maintain a construction and demolition debris facility without a construction and demolition debris facility license . . ."*

Ohio EPA observed a disposal area measuring approximately 150 feet by 250 feet long on the property. You are therefore in violation of OAC 3745-37-01(C) for operating an unlicensed CDD landfill.

You must immediately cease accepting CDD for on-site disposal and remove and properly dispose of all CDD at a licensed CDD or solid waste disposal facility and provide copies of the disposal receipts to Ohio EPA.

Please contact Ohio EPA at (330) 963-1276 upon your receipt of this letter to arrange an onsite meeting. Should you fail to co-operate, Ohio EPA will pursue escalated enforcement action.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release you, and others from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

Sincerely,



Jarnal Singh R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

JS:cl

cc: Ed Wilk, DSW, NEDO
Deputy Walker, Mahoning County Sheriff's Office
File: [Sowers/ COUN/Youngstown/GEN/50]