



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korteski, Director

June 14, 2010

**RE: TRUMBULL COUNTY  
KURIATNYK PROPERTY  
NOTICE OF VIOLATION**

**CERTIFIED MAIL**

George Kuriatnyk  
P.O. Box 251  
Niles, OH 44446

Dear Mr. Kuriatnyk:

On May 26, 2010, I conducted an inspection of property located behind 1123 Salt Springs Road, Niles, Ohio. The inspection was conducted in response to a complaint I received about scrap tires dumped along an abandoned city right-of-way. Based upon my discussion with the City of Niles service director and the Niles City Health Department, it is my understanding that you disposed scrap tires along the right-of-way. The Niles City Health department issued a five day notice to you on April 16, 2010. During the inspection on May 26, 2010, I observed that debris and tires mentioned in the city's letter have not been removed. Approximately 70 scrap tires and at least four piles of demolition debris remain scattered along the right-of-way and among the trees on either side of the right-of-way.

Based upon my observations and information provided to me by the City of Niles, it appears you disposed scrap tires and demolition debris at this site in violation of Ohio Revised Code ("ORC") Chapter 3734. and Ohio Administrative Code ("OAC") Chapter 3745. and

**Ohio Revised Code 3734.03 states:** *"No person shall dispose of solid wastes by open burning or open dumping, except as authorized by the director of environmental protection."*

**Ohio Administrative Code 3745-27-05(C) states:** *"No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person(s) responsible for the open dumping, the owner of the property, or the person(s) who allow or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734. of the Revised Code, and shall submit verification that the solid waste has been properly managed."*

**Ohio Revised Code 3714.06(A) states:** *"(A) No person shall operate or maintain a construction and demolition debris facility without an annual construction and demolition debris facility operation license issued by the board of health of the health district in which the facility is located or, if the facility is located in a health district that is not on the*

George Kuriatnyk  
June 14, 2010  
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*approved list under section 3714.09 of the Revised Code, from the director of environmental protection."*

**Ohio Administrative Code 3745-400-04(B) states:** *"No person shall conduct or allow illegal disposal of construction and demolition debris..."*

Please respond to the above violations in writing within 14 days of receipt of this letter. Your response should include: receipts proving the scrap tires have been transported in accordance with state law to an authorized scrap tire storage, monofill, monocell, or recovery facility; receipts proving the solid waste and demolition debris have been removed to a licensed disposal facility; and documentation that shows you have returned to compliance with the rules and regulations listed above.

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 the Entity 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.

If you have any questions, please call me at (330) 963-1257.

Sincerely,



Katharina Snyder  
Division of Solid and Infectious Waste Management

KS:cl  
Enclosure

cc: Mike Burke, Niles City Health Department  
File: [Kurko/COUN/NILES/GEN/78]

# 3351

7006 3230 0003 5419 8713

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Sent To: George Kuriatnyk  
 Street, Apt. No., or PO Box No.: \_\_\_\_\_  
 City, State, ZIP+4: Niles, Ohio

PS Form 3800, August 2005 See Reverse for instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

George Kuriatnyk  
 P.O. Box 251  
 Niles, OH 44446

2. Article Number  
 (Transfer from service label)

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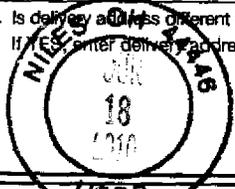
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