



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

May 6, 2008

**RE: JOE'S AUTO WRECKING
NOTICE OF VIOLATION
LORAIN COUNTY**

CERTIFIED MAIL

Mr. Joe Yousef
Joe's Auto Wrecking
7218 Case Rd.
North Ridgeville, Ohio 44039

Dear Mr. Yousef:

On April 14, 2008, John Sabo and Mark Smith of the Lorain County Health Department and John Hujar and Clarissa Gereby of the Division of Solid and Infectious Waste Management Division, Ohio EPA, conducted a site inspection at Joe's Auto Wrecking, located at 7218 Case Rd., North Ridgeville, Lorain County.

A "Notice of Intent to Fill (NOI)," was submitted to the Lorain County Health Department on February 29, 2008 (attached). It states that non-reinforced concrete and brick was to be used as fill at the Case Road property. All Type Demolition submitted the NOI form and it was signed by Russell Gatt. You indicated that you paid for delivery of clean hard fill originating from the demolition of the North Ridgeville Shopping Center, located at 38891 Center Ridge Rd. North Ridgeville, Lorain County.

During the April 14, 2008 inspection, it was noted that solid waste was placed on the back portion of the property (see attached photos). The material consisted of solid waste including pulverized construction and demolition debris (roofing material, drywall, tile, metal, rubber tubing, lumber), and carpeting, paper, rags, and other materials. The following violations were identified during the site inspection:

Ohio Administrative Code 3745-27-05(C): 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.

Pursuant to OAC 3745-27-01(O)(4) "Open dumping" means the deposition of solid wastes, other than scrap tires, into waters of the state, and also means the final deposition of solid wastes on or into the ground at any place other than a solid waste facility operated in accordance with Chapter 3734. of the Revised Code, and Chapters 3745-27, 3745-29, 3745-30, and 3745-37 of the Administrative Code.

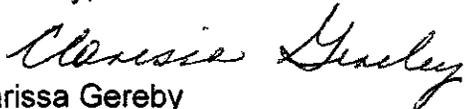
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During our inspection, we discussed the issue of open dumping and that the solid waste must be promptly removed and disposed of at a licensed solid waste landfill. I also asked you to submit records to the Lorain County Health Department and the Ohio EPA, Northeast District Office, verifying that the solid waste has been properly managed. To date, nothing has been submitted to this office regarding the above cited violation.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations except as specified herein. This letter shall not be interpreted to release the owner or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

Please reply within 10 days of receipt of this letter and indicate what actions have been taken to return to compliance. If you have any questions regarding this letter, please call me at (330) 963-1224.

Sincerely,



Clarissa Gereby
Environmental Specialist
Division of Solid and Infectious Waste Management

CG:cl

cc: Mark Smith, Lorain County Health Department
Ron Fodo, DERR, NEDO
File: [Princic/Coun/Lorain/Gen/47]