



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

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

Re: Notice of Violation  
Ottawa County

September 9, 2008

Certified Mail 7006 0100 0004 1318 2715

Mr. Wilbur Buffington  
410 Superior Street  
Genoa, Ohio 43430

Dear Mr. Buffington:

On August 15, 2008, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted an inspection of the properties located on Elmdale Drive, lots 7-12 and 16-20, Park Addition, Clay Township, Ottawa County (property). Rick Stine and several employees of Venture Associates were present during the inspection. Mary Wright of Ohio EPA was also present during the inspection.

Ohio EPA is aware that Venture Associates purchased this property from you on June 21, 2007. The sale of this property did not relieve you of your obligations to comply with Ohio EPA Director's Final Findings and Orders (DFF&Os), dated June 7, 2002, and a Judgment Entry from the Ottawa County Court of Common Pleas, dated June 15, 2004. These legal documents make you responsible for and obligate you to complete the cleanup of lots 7 – 20 of the Park Addition, which includes removal of scrap tires, materials that can be salvaged or recycled, and solid waste from the property. Ohio EPA is aware that you contracted with Venture Recycling in summer 2006 to conduct the cleanup. Although significant progress has been observed since summer 2006, scrap tires, materials that could be salvaged or recycled (vehicles and metals), and solid waste remain on the property in violation of the DFF&Os and the Ottawa County Judgment Entry.

Specifically, Order number 2 of the June 7, 2002 DFF&Os required the removal of all scrap tires from the property within 120 days of the effective date of the DFF&Os. Order number 5 of the DFF&Os required the removal of all materials that can be salvaged or recycled from the property within 180 days of the effective date of the DFF&Os. Order number 6 of the DFF&Os required the removal of all solid waste from the property within 365 days of the effective date of the DFF&Os.

**You remain in violation of Orders number 2, 5 and 6 of the June 7, 2002 DFF&Os, for failing to remove all scrap tires, materials that can be salvaged or recycled, and solid waste from the aforementioned property.** You will continue to be in violation of Orders number 2, 5 and 6 of the June 7, 2002 DFF&Os until all scarp tires, materials that can be salvaged or recycled, and solid waste are removed from the property.

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Order number 2 of the June 15, 2004 Judgment Entry required the removal of all scrap tires from the property within 120 days after the effective date of the Judgment Entry. Order number 5 of the Judgment Entry required the removal of all material that can be salvaged or recycled from the property within 180 days of the effective date of the Judgment Entry. Order number 6 of the June 15, 2004 Judgment Entry requires the removal of all solid waste from the property within 365 days of the Judgment Entry.

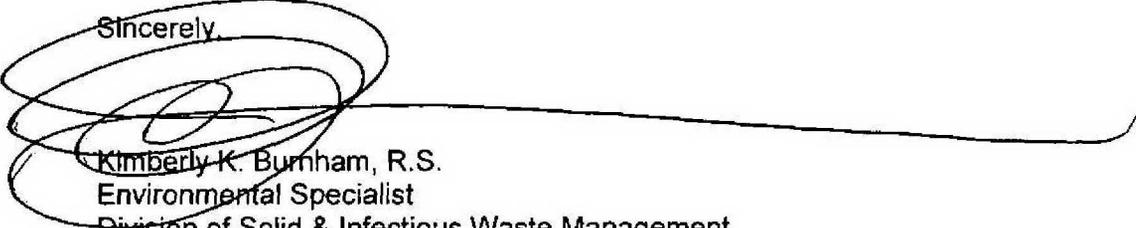
**You remain in violation of Orders number 2, 5 and 6 of the June 15, 2004 Judgment Entry for failing to remove all scrap tires, materials that can be salvaged or recycled and solid waste from the aforementioned property.** You will continue to be in violation of Orders number 2, 5 and 6 of the June 15, 2004 Judgment Entry until all scrap tires, material that can be salvaged or recycled and solid wastes are removed from the property.

Forward receipts documenting disposal of the scrap metal, scrap tires and solid waste to my attention at:

Ms. Kimberly Burnham  
Ohio EPA, NWDO  
Division of Solid & Infectious Waste Management  
347 North Dunbridge Road  
Bowling Green, Ohio 43402

If you have any questions, please contact me at (419)373-3049.

Sincerely,



Kimberly K. Burnham, R.S.  
Environmental Specialist  
Division of Solid & Infectious Waste Management

/cs

pc: Scott Young, Ottawa County Health Department  
Lee Yackee, Clay Township Trustees  
Gary Kapp, Clay Township Zoning  
Barry Chapman, DSIWM, CO  
Harry Smail, DSIWM, CO  
Marty Cooper, Legal  
Kimberly Burnham, DSIWM, NWDO  
~~DSIWM, NWDO File: Ottawa County, Wilbur Buffington Dump, Tires~~  
ec: Mike Reiser, DSIWM, NWDO

