



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**

August 4, 2009

Mr. and Mrs. Rick and Sally Stine  
Venture Associates, Inc.  
3326 Springdale Drive  
Lambertville, Michigan 48144

Dear Mr. and Mrs. Stine:

On July 10, 2009, 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). Brent Goetz of Ohio EPA was also present during the inspection.

This property, formerly owned by Wilbur Buffington of Genoa, Ohio, was purchased by Venture Associates on June 21, 2007. As you are aware, Mr. Buffington is subject to 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 obligate Mr. Buffington to the cleanup of lots 7 – 20 of the Park Addition, which includes removal of scrap tires, solid waste, and material that could be salvaged or recycled from the property. Mr. Buffington's obligations under these documents did not end with your purchase of the property.

Fewer than twenty scattered scrap tires remained on the portions of the property inspected. Significant progress in removal of solid waste and materials that could be salvaged or recycled was also observed. However, solid waste and recyclables remain on the property.

**The owner/operator of this site remains in violation of the following rules and laws:**

- 1. Ohio Revised Code (ORC) § 3734.03 which states in pertinent part:

*No person shall dispose of solid wastes by open burning or open dumping, except as authorized by the director of environmental protection. . .*

- 2. OAC Rule 3745-27-05(C) which states in pertinent part:

*No person shall conduct, permit, or allow open dumping. . .*

These violations will continue until all solid wastes are removed from the property and properly disposed. Please forward receipts documenting disposal of the remaining solid waste to my attention at:

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

or Fax:  
419-352-8468



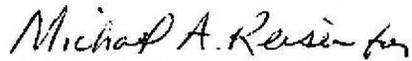
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This correspondence addresses specific observations only for the areas of the site that were inspected. Nothing present in, nor absent from this correspondence is intended to mean that no other violations existed at the site at the time of inspection.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in the Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve the owner/operator from their obligations to comply with other applicable state and federal laws and regulations.

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

Sincerely,



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

/cs

pc: Scott Young, Ottawa County Health Department  
Lee Yackee, Clay Township Trustees  
Gary Kapp, Clay Township Zoning  
Harry Smail, DSIWM, CO  
Kimberly Burnham, DSIWM, NWDO  
File: Ottawa County, Wilbur Buffington Dump, Tires

ec: Mike Reiser, Tyler Madeker