



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. Wilbur Buffington  
410 Superior Street  
Genoa, Ohio 43430

Dear Mr. Buffington:

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.

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 the summer of 2006 to conduct the cleanup. Although fewer than 20 scattered scrap tires remain and significant progress has been observed in removal of other materials, solid waste and materials that could be salvaged or recycled remain on the property in violation of the DFF&Os and the Ottawa County Judgment Entry.

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

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



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Forward receipts documenting disposal of the scrap metal and 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

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

Sincerely,

*Michael A. Reiser for*  
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  
\*DSIWM; NWDO-File: Ottawa County, Wilbur Buffington Dump, Tires

ec: Mike Reiser, Tyler Madeker