



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 Korteski, Director

**Re: Notice of Violation  
Ottawa County**

March 27, 2008

**CERTIFIED MAIL**

Mr. Wilbur Buffington  
410 Superior Street  
Genoa, Ohio 43430

Dear Mr. Buffington:

On March 13, 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). The property owner was not represented during the inspection. Mr. Ned O'Loughlin and Mr. Brent Goetz of Ohio EPA were 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.**

Mr. Wilbur Buffington  
March 27, 2008  
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You will continue to be in violation of Orders number 2, 5, and 6 of the June 7, 2002, DFF&Os until all scrap tires, materials that can be salvaged or recycled, and solid waste are removed from the property.

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 scrap tires are removed from the property.

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

Ohio EPA - NWDO  
Attn: Kimberly Burnham  
347 N. 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 and Infectious Waste Management

//lr

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---

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <b>Wilbur Buffington</b></p> <p>C. Date of Delivery <b>3/28/08</b></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p><b>MR. Wilbur Buffington</b>  <b>410 Superior Street</b>  <b>Lenoxa, Ohio 43430</b></p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail    <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered       <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail      <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7006 3450 0001 0611 1858</p>	
<p>PS Form 3811, February 2004      Domestic Return Receipt      102595-02-M-1540</p>	

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For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
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Certified Fee <b>2.65</b>	
Return Receipt Fee (Endorsement Required) <b>2.18</b>	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$ <b>5.21</b>	
Sent to <b>Wilbur Buffington</b> Street, Apt. No., or PO Box No. <b>410 Superior Street</b> City, State, ZIP+4 <b>Lenoxa, Ohio 43430</b>	
PS Form 3800, August 2006      See Reverse for Instructions	

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