OhioEPA
State of Ohio Environmental Protection Agency

STREET ADDRESS:
Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

May 20, 2009

Certified Mail

Mr. Chuck Abate
Abate Landscaping
7080 Mulberry Rd
Chesterland, OH 44026

Re: Notice of Violation
2008 Class III/IV Compost Facility Annual Report
Registration Number 28-C4R-0521

Dear Mr. Abate:

This letter serves as a notice that Abate Landscaping failed to submit a 2008 Class III/IV Compost Facility Annual Report for its composting facility located at 7080 Mulberry Rd in Chesterland, Ohio. On January 29, 2009, Ohio EPA sent you a postcard or email reminder and provided you notice of the annual reporting requirements. The annual report form was required to be completed and mailed to Ohio EPA and your approved local health department no later than April 1, 2009. Abate Landscaping has not submitted its 2008 annual report, therefore the owner/operator is in violation of Paragraph (P) of Rule 3745-27-45 of the Ohio Administrative Code.

In order to redress this violation, the owner/operator will need to send Ohio EPA the completed annual report form upon receipt of this notice of violation. If the facility is no longer active, please indicate so on the annual report form. Please complete the enclosed annual report form and mail to:

Ohio EPA-DSIWM
Attn: Composting Program
PO Box 1049
Columbus, Ohio 43216-1049

Please respond within fifteen days of receipt of this notice of violation. If you have any questions concerning this letter, please contact me in writing at the letterhead address above or by telephone at (614) 728-5349.

Sincerely,

Joe Goicochea
Environmental Specialist
Division of Solid and Infectious Waste Management

cc: Inspector, DSIWM, NEDO
Application file

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

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