



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

June 10, 2011

**CERTIFIED MAIL** (5563)

Nick DeMilta  
DeMilta Sand & Gravel Inc  
921 Erie Rd  
Eastlake, OH 44095



Re: Notice of Violation  
2010 Compost Facility Annual Report  
Reg. No. 43-C4R-0209

Nick DeMilta:

This letter serves as a notice that DeMilta Sand & Gravel Inc failed to submit a 2010 Compost Facility Annual Report for its composting facility located at 921 Erie Rd. 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, 2011. DeMilta Sand & Gravel Inc has not submitted its 2010 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 If the facility is no longer active, please indicate so on the annual report form.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, OH 43216-1049

If you have any questions concerning this letter, please contact me in writing at the letterhead address above or by telephone at (614) 728-5338.

Sincerely,

Maera Flynn, RS  
Environmental Specialist  
Division of Materials and Waste Management

cc: Inspector, DMWM, NEDO  
Application file