

Attachment "a"



## Summit County Public Health

1867 West Market Street ♦ Akron, Ohio 44313-6901  
Phone: (330) 923-4891 ♦ Toll-free: 1 (877) 687-0002 ♦ Fax: (330) 923-7558  
[www.scphoh.org](http://www.scphoh.org)

July 25, 2017

### **VIA CERTIFIED MAIL**

Joe Senk  
78 Beach Ave.  
Northfield, OH 44067

### **Re: NOTICE OF VIOLATION**

Dear Mr. Senk:

Summit County Public Health (SCPH) has become aware that you are transporting scrap tires without a registration. On July 20, 2017, you were observed by SCPH unloading tires from a truck at a residence located at 78 Beach Ave., Northfield, OH. On July 21, 2017 an inspection of the property was conducted by Rebecca Bralek of SCPH, Jennifer Carlin of the Ohio Environmental Protection Agency (OEPA), Officer Brian Zambach of the Northfield Village Police Department, and Jason Walters of the Village of Northfield.

No one was home at the time of the inspection. A pile of tires with a tarp over them and cut tires on top of the tarp were observed in the back yard. Based on information received, and the observations on July 20<sup>th</sup> and 21<sup>st</sup>, 2017, you are in violation of the following:

### **Violations:**

1. **Ohio Administrative Code (OAC) 3745-27-54 – Registration Requirements for Scrap Tire Transporters** due to the fact that you are transporting scrap tires without a registration. You must cease transporting scrap tires immediately until you have obtained the required registration. If you have any questions or concerns about the registration requirements, please contact Jennifer Carlin at OEPA at (330) 963-1133.

If you have any questions, please contact me at (330) 812-3872 or [rbralek@schd.org](mailto:rbralek@schd.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebecca Bralek".

Rebecca Bralek, RS/REHS  
Environmental Health Division  
Summit County Public Health

Cc: Linda Moran, 3946 Harper Ave., Barberton, OH 44203  
Jennifer Carlin, OEPA DMWM  
Jason Walters, Village of Northfield

Attached "b"

DANIEL M. HERRIGAN

2009 JAN -5 AM 8:41

**JUDICIAL OATH OF OFFICE**  
(pursuant to R.C. 3.23)

SUMMIT COUNTY  
CLERK OF COURTS

I, **Alison McCarty**, do solemnly swear that I will support the Constitution of the United States and the Constitution of Ohio, will administer justice without respect to persons, and will faithfully and impartially discharge and perform all the duties incumbent upon me as Judge, Summit County Common Pleas Court, according to the best of my ability and understanding.  
(This I do, as I shall answer unto God.)

Alison McCarty  
Judge's Signature

**CERTIFICATION**

I, **Patricia A. Cosgrove**, administered the foregoing Judicial Oath of Office to Judge **Alison McCarty**, of the Summit County Common Pleas Court, for a term of office beginning January 5, 2009 and ending January 4, 2015.

Pat A Cosgrove  
Signature

Judge - Summit County  
Title Common Pleas Court

1-2-09  
Date

I certify this to be a true copy of the original  
Sandra Kurt, Clerk of Courts.

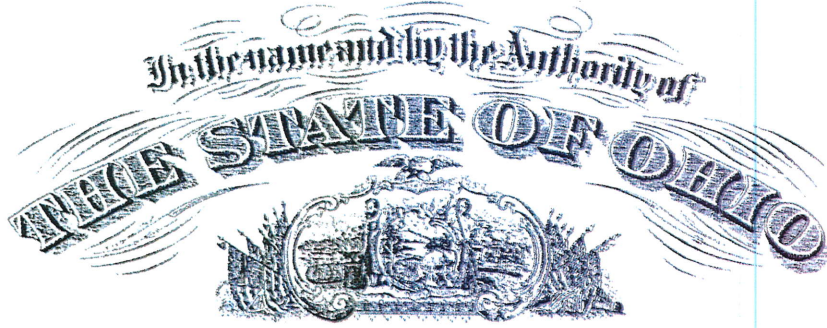
[Signature] Deputy Clerk

*I, the undersigned, Joseph Edward Senk, a binding contract between you and I, to uphold all of the rights of the United States of America and Ohio State Constitution, and all of its unalienable rights by: Joseph Edward Senk, known to me as a*

*United States of Ohio, County of Summit*

*Signer before me on this day, Joseph Edward Senk, known to me as a natural man personally makes his mark upon this document by: [Signature]*





**Ted Strickland**  
*Governor of said State*

*To all to whom these Presents shall come, Greeting:*

*Know Ye, That Whereas*

**ALISON MCCARTY**

*of Summit County has been duly elected to the position of*

**JUDGE OF COURT OF COMMON PLEAS**

FULL TERM COMMENCING 1/5/09

*Therefore, By virtue of the authority vested in the Governor by the Constitution  
and in pursuance of a provision of the Statutes, I do hereby commission her, the said*

**ALISON MCCARTY**

*to be*

**JUDGE OF COURT OF COMMON PLEAS**

*authorizing and empowering her to execute and discharge all and singular, the duties  
appertaining to said office, and to enjoy all the privileges and immunities thereof.*

*In Testimony Whereof, I have herewith subscribed My name  
And caused the Great Seal of the State of Ohio to be  
Affixed, at Columbus, this 18th day of December, in the  
Year of our Lord, Two Thousand and Eight*



*Ted Strickland*  
*Governor*

*Janice Bunner*  
*Secretary of State*

# OATH OF OFFICE

I, Sandra J. Kurt, swear that I will support the Constitution and laws of the United States and the State of Ohio, the Summit County Charter, and the Codified Ordinances of Summit County. I will faithfully, in all other respects, discharge and perform all the duties incumbent upon me as Summit County Clerk of Courts, according to the best of my ability and understanding.

2016 JAN 15 PM 3:41

SUMMIT COUNTY  
CLERK OF COURTS

Sandra J. Kurt  
Sandra J. Kurt

2016 JAN 15 AM 11:17

Sworn before me and subscribed in my presence this 14<sup>th</sup> day of January, 2016.

Carol J. Dezzo  
Judge Carol J. Dezzo

I hereby certify that on the 14<sup>th</sup> day of January, 2016, personally appeared before me, Sandra J. Kurt, who was appointed by the Summit County Democratic Central Committee as Summit County Clerk of Courts on January 14<sup>th</sup>, 2016 as certified by the Summit County Board of Elections. I administered the foregoing oath as required by the Constitution of the United States, the State of Ohio (R.C. 3.23) and the Summit County Charter (Section 5.01.2).

In testimony whereof, I have hereunto set my hand and seal this 14<sup>th</sup> day of January, 2016.

Carol J. Dezzo  
Judge Carol J. Dezzo

I certify this to be a true copy of the original  
Sandra Kurt, Clerk of Courts.

Deputy Clerk

United States of America  
State of Ohio  
County of Summit

Before me, this day of January, 2016, I have personally known to me as a natural man, personally makes a restrictive visitation of his knowledge.

ACCEPT your Oath of Office  
as a binding contract between you and i to uphold all the rights of the United States and Ohio Constitution, and i undertake right



# attachment "d"



## Ohio Attorney General's Office Bureau of Criminal Investigation Investigative Report

2019-0794  
Environmental Laws – Joseph Senk (S)



Involves: Joseph Edward Senk (S), Joseph Todaro (W), Paul D. Maloney (W)  
Date of Activity: 03/20/2019  
Author: SA Richard Brownley, #81

### Narrative:

On Wednesday March 20, 2019, Joseph Todaro (Todaro), part time employee of Joseph Senk was contacted and interviewed by the reporting agent and Investigator Ron Fodo from Ohio EPA.

At approximately 1125 hours, Investigators were conducting follow up on another unrelated investigation and upon approaching the intersection of E. 65<sup>th</sup> Street and Bessemer in Cleveland, a red Dodge truck (truck) bearing the Ohio license plate PIW-4096 was observed leaving Republic A-1 Auto Parts (Republic), which was located at the southwest corner of E. 65<sup>th</sup> and Bessemer. The truck had a black wooden box of extended height for a bed and there was a black tarp over the top. Investigators did not see any evidence at this time that there were any items in the bed which were higher than the sides of the box.

Because of previous investigation done in this case involving Joe Senk (Senk), reporting agent had occasion to see this same vehicle parked at Senk's residence. Reporting agent was also aware that the registration on this truck came back to a company – Olde 8 Construction– of which Senk was the registered agent. This same vehicle had also been identified by a witness as being the one in which scrap tires were transported to Senk's property and then the tires were unloaded onto the ground.

Investigators began to follow the truck and at approximately 1205 hours the truck pulled into a business named Strong Tires (Strong) 7173 W. 130<sup>th</sup> Street Cleveland OH. During the course of the surveillance it was observed that there three (3) white, male individuals in the truck. While turning around in the lot of the business(es) located adjacent to Strong at 7177 W.

130<sup>th</sup> Street Cleveland, OH , investigators observed scrap tires behind this location as well. Investigators then parked in the parking lot of Invictus High School located at 7099 W.

130<sup>th</sup> Street Cleveland, OH. From this vantage point investigators were able see that the back of the Dodge truck had been opened and scrap tires were being loaded into it. Investigators observed a subject – later identified as Joseph Todaro based on clothing observed – flipping tires off piles and water being poured out of tires prior to their being loaded onto the truck.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency.

attachment e"



Mike DeWine, Governor  
Jon Husted, Lt. Governor  
Laurie A. Stevenson, Director

May 1, 2019

Joe Senk  
78 Beech Avenue  
Northfield, Ohio 44067

Linda Moran  
3946 Harper Avenue  
Barberton, Ohio 44203

Re: **Joe Senk Open Dump  
Notice of Violation (NOV)  
NOV  
Scrap Tires  
Summit County  
ST023393**

**Subject: Notice of Violation**

Dear Mr. Senk and Ms. Moran:

On May 1, 2019, I conducted an inspection of 78 Beech Avenue, Northfield, Ohio. The homeowner was not present for the inspection. This was a focused inspection. The goal of my inspection was to determine compliance with Ohio's laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745-27-05-(C) of the Ohio Administrative Code (OAC).

**Findings**

Ohio EPA observed the following violations of Ohio's environmental laws. In order to resolve the violations at your property, we recommend promptly addressing these violations.

**1. ORC Chapter: 3734**

**OAC Rule: 3745-27-05(C):** *"No person shall conduct, permit, or allow open dumping."*

(a) **Description:** I observed a pile of tire treads, several large piles of tires cut into sections, piles of tire beads, and other tire piles covered with tarps located on the south side of the property. Based on my observations, I would estimate that there were over 100 tires on the property (See pictures 1-4).

**2. ORC Chapter: 3734**

**OAC Rule: 3745-27-61(A):** *"A scrap tire recovery facility with a daily design input capacity of less than two hundred tons per day is a class II scrap tire recovery facility and shall register in accordance with this rule."*

(a) **Description:** I observed a pile of tire treads, several large piles of tires cut into sections, piles of tire beads, and other tire piles covered with tarps located on the south side of the property (See pictures 1-4).



JOE SENK OPEN DUMP  
MAY 1, 2019  
PAGE 2 OF 6

**Conclusion**

Ohio EPA requests that Joe Senk and Linda Moran promptly undertake the necessary measures to resolve the violations of Ohio's environmental laws and regulations. Within 14 days of receipt of this letter, please provide documentation to Ohio EPA of the actions taken to resolve the violations cited above. Please submit a compliance plan on how you plan to correct the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, disposal receipts, and photographs, as appropriate, and may be submitted via the postal service or electronically.

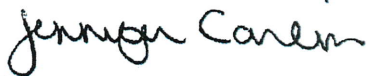
Failure to comply with ORC Chapter 3734 and rules promulgated thereunder may result in an administrative or civil penalty. If circumstances delay resolution of violations, please submit written correspondence describing the steps that will be taken by date certain to attain compliance.

Please note that the submission of any requested information to respond to this letter does not constitute waiver of Ohio EPA's authority to seek administrative or civil penalties specified in the ORC.

Future electronic submittals should be submitted via DMWM-NEDO's secure file sharing site: [https://fileshare.epa.ohio.gov/filedrop/nedo\\_dmwm\\_submittals](https://fileshare.epa.ohio.gov/filedrop/nedo_dmwm_submittals).

If you have any questions, please contact me at (330) 963-1133 or at [jennifer.carlin@epa.ohio.gov](mailto:jennifer.carlin@epa.ohio.gov).

Sincerely,



Jennifer Carlin  
Environmental Specialist  
Division of Materials and Waste Management

JC:cla

ec: Ron Fodo, Ohio EPA, NEDO, DMWM  
Rebecca Bralek, Summit County Public Health Department