



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

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 20th and 21st, 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.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca L. 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

Attachment 6*

DANIEL M. HORRIGAN

2009 JAN -5 AM 8:41

SUMMIT COUNTY
CLERK OF COURTS

JUDICIAL OATH OF OFFICE

(pursuant to R.C. 3.23)

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
Common Pleas Court
Title

1-2-09

Date

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

S.K.

Deputy Clerk

22



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 hereunto 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 E. Freeman
Secretary of State

Attachment "C"

REC'D. "TCT"

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.

SUMMIT COUNTY
CLERK OF COURTS
2016 JAN 15 PM 3:41

115 JAN 15 PM 3:41
Sandra J. Kurt

Sandra J. Kurt
ACCEPTED this 14th day of January, 2016
to uphold the Constitution and Laws of the United States
and to discharge my duties as Clerk of Courts
and I swear to do all in my power to do my duty
faithfully and impartially.

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

Judge Carol J. Dezso

I hereby certify that on the 14th 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 10th, 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 14th day of January, 2016.

Judge Carol J. Dezso

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

Deputy Clerk

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. 65th 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. 65th 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. 130th 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.

130th 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.

130th 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.

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

Sincerely,

Jennifer Carlin

Jennifer Carlin
Environmental Specialist
Division of Materials and Waste Management

JC:cla

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