



State of Ohio Environmental Protection Agency

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May 9, 2007

Mr. William F. Baumann  
Brandon Partners  
5801 Train Avenue  
Cleveland, Ohio 44102

**Re: Brandon Partners  
Former North East Chemical Corporation  
OHD 980 681 571 Financial Assurance  
Notice of Violation**

Dear Mr. Baumann:

On April 26, 2007, I completed a review of the financial assurance documentation on file for the Former North East Chemical Corporation (NECC) facility located at 3301 Monroe Avenue, Cleveland, Ohio. I evaluated the facility for compliance with Ohio Administrative Code (OAC) Rules 3745-66-42, 3745-66-43 and 3745-66-47. These rules pertain to the cost estimates and financial assurance requirements for facility closure and the liability coverage requirements for both sudden and non-sudden accidental occurrences.

As the owner of the facility previously operated by NECC, Brandon Partners is required to close the facility in accordance with OAC Rules 3745-66-11 through 3745-66-20 and the May 9, 2001 approved closure plan.

**Upon review of this financial assurance documentation the following violations were observed:**

**OAC rule 3745-66-42**

Brandon Partners has failed to submit a revised closure cost estimate to reflect the remaining closure activities to be conducted;

**OAC rule 3745-66-43**

Brandon Partners has failed to provide financial assurance at least equal to the amount of the revised closure cost estimate; **and**

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

**OAC rule 3745-66-47**

Brandon Partners has failed to provide liability coverage until such time that closure is certified at the facility.

Please address these violations upon receipt of this letter. Brandon Partners will remain in violation until these violations have been abated.

If you have any questions regarding this letter, or the financial assurance regulations, please feel free to contact me at (614) 644-3067.

Sincerely,



Isaac B. Wilder  
Compliance Assurance Section  
Division of Hazardous Waste Management

c: Tammy McConnell, RIS, DHWM  
Brad Murphy, CAS, DHWM  
Frank Zingales, DHWM, NEDO  
Amanda Sturm, AGO

Brandon Partners FRR.05.07  
IBW/sl

**NOTICE:**

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with applicable regulations.