



State of Ohio Environmental Protection Agency

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Memo to File

Re: Brandon Partners
Former North East Chemical Corporation
OHD 980 681 571
Financial Assurance

June 11, 2008

On June 9, 2008, 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**,

OAC rule 3745-66-47

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

Brandon Partners will remain in violation until these violations have been abated.

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

cc: Kristina Durnell, RIS, DHWM
Harry Sarvis, CAS, DHWM

Frank Zingales, DHWM, NEDO
Amanda Sturm, AGO

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
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