



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

P.O. Box 1049
Columbus, OH 43216-1049

October 2, 2008

Ms. Helun Bachour-Chahda, President
J. H. & H. Management, Inc.
3811 West 150th Street
Cleveland, Ohio 44111

RECEIVED
OHIO EPA

OCT 02 2008

DIV. OF HAZARDOUS
WASTE MGT.

**Re: J. H. & H. Management, Inc. \ Novacoate
3807 West 150th Street
Cleveland, Ohio
OHR 000 014 043
Notice of Violation**

Dear Ms. Bachour-Chahda:

On September 24, 2008, I completed a review of the financial assurance documentation file for the J. H. & H. Management, Inc. (J. H. & H.) \Novacoate facility referenced above. I evaluated your facility for compliance with hazardous waste financial assurance and liability requirements set forth in Ohio Administrative Code (OAC) rules 3745-55-42, 3745-55-43 and 3745-55-47.

On April 4, 2007, J. H. & H. entered into Director's Final Findings and Orders (Orders) with Ohio EPA. The Orders required that J. H. & H. submit a closure plan within 60 days of the date of the Orders for the former Novacoate facility located at 3807 West 150th Street, Cleveland, Ohio. On June 22, 2007 you submitted a closure plan which was approved on December 28, 2007, by Ohio EPA. A closure cost estimate of \$25,778.50 was submitted as part of the closure plan. The Orders also required that you submit financial assurance documentation for the closure of the hazardous waste units at your facility and liability documentation within 30 days of the submittal of the closure plan. That 30 day time frame elapsed on July 18, 2007.

In accordance with OAC rule 3745-55-40, all facilities, with the exception of State of Ohio and federal agencies, conducting hazardous waste treatment, storage and/or disposal activities are required to comply with Ohio's financial assurance requirements. Any facility conducting hazardous waste treatment, storage and/or disposal activities must establish compliance with the financial assurance requirements when hazardous waste activities begin. Financial assurance must be maintained by the owner/operator at all times until full closure of all hazardous waste units is completed.

As of September 24, 2008, J. H. & H. has not submitted financial assurance for closure or liability coverage for the facility referenced above.

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

Ohio EPA is an Equal Opportunity Employer

J. H. & H. Management, Inc.\ Novacoate
Notice of Violation
October 2, 2008
Page 2 of 2

Upon review of the financial assurance documentation, the following violations were found:

OAC rule 3745-55-42(B)

J. H. & H. has failed to adjust the closure cost estimate for inflation;

OAC rule 3745-55-43

J. H. & H. has failed to provide financial assurance at least equal to the amount of the closure cost estimate; and

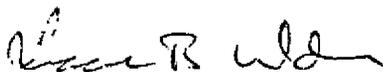
OAC rule 3745-55-47(A)

J. H. & H. has failed to provide liability coverage until closure is certified at the facility.

Please address these violations upon receipt of this letter. While Ohio EPA is willing to work with you to resolve these issues, J. H. & H. will remain in violation of the above rules and the Orders until these violations are abated. Failure to comply with the April 4, 2007 Orders may result in an additional enforcement action.

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

cc:	Kristina Durnell,	IT&TS, DHWM
	Suzanne Prusnek,	DHWM, NEDO
	Mitch Matthews,	CAS, CO
	Pam McCoy,	ERAS, CO
	Tom Kmiec	T.D. Kmiec & Associates