



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

March 1, 2011

CERTIFIED MAIL

Steve Chandler
Minerva Enterprises, LLC
P.O. Box 709
8955 Minerva Rd. SE
Waynesburg, OH 44688

**RE: MINERVA ENTERPRISES, STARK COUNTY
NOTICE OF VIOLATION (NOV)**

Dear Mr. Chandler:

On November 30, 2010, Ohio EPA Division of Hazardous Waste Management (DHWM) notified the Division of Solid and Infectious Waste Management (DSIWM) Northeast District Office (NEDO) of the disposal of hazardous waste at Minerva Enterprises, LLC (Facility) in July and August of 2010.

The Facility accepted four loads of waste from ACM Services, Inc., of Rockville, Maryland, on July 26 and 28, and August 3 and 9, 2010. The waste was generated from a roofing project conducted at the Supreme Court building in Washington D.C. and included 1340 linear feet of lead-coated copper gutter. This material was double-bagged along with asbestos waste and miscellaneous asbestos contaminated debris and sealed in fiber drums. All of this waste material was manifested as asbestos waste and sent to Minerva Enterprises for disposal. Toxicity Characteristic Leaching Procedure (TCLP) test results from the material later indicated that the gutters were a hazardous waste containing lead.

The acceptance of hazardous waste at a construction and demolition debris (C&DD) facility is a violation of the following:

1. **Ohio Administrative Code (OAC) Rule 3745-400-11(B)(1)**: which states that "[t]he owner or operator shall conduct all operations at the facility in strict compliance with the license, any orders, and other authorizing documents issued in accordance with Chapter 3714. of the Revised Code."
2. **OAC Rule 3745-400-11(F)(1)**: which states, in part, that "[t]he owner or operator of a facility shall not accept any hazardous wastes....."

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Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator of Minerva Enterprises, LLC, or others, from responsibility under Chapters 3704., 3714., 3734., or 6111. of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please feel free to contact me at (330) 963-1103, or e-mail me at joshua.adams@epa.state.oh.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Adams', with a long horizontal flourish extending to the right.

Joshua Adams
Environmental Specialist
Division of Solid and Infectious Waste Management

JA:cl

cc: Phil Revlock, Stark County HD
Frank Popotnik, DHWM-NEDO
Kelly Jeter, DSIWM-CO
File: [Sowers/CONS/Minerva/COR/76]

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 P.O. Box 709
 Street, Av. or PO Box: 8955 Minerva Rd. SE
 City, State: Waynesburg, OH 44688

PS Form 3800, August 2003 See Reverse for Instructions

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<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>(Signature)</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Sharon Dunne</i></p> <p>C. Date of Delivery <i>3/3/11</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Steve Chandler Minerva Enterprises, LLC P.O. Box 709 8955 Minerva Rd. SE Waynesburg, OH 44688</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
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