



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

April 25, 2008

RE: CHEMIX CORPORATION  
CUYAHOGA COUNTY  
CESSATION OF REGULATED OPERATIONS  
NOTICE OF VIOLATION

Ken Nowack  
Chemix Corporation  
P.O. Box 206  
Berea, OH 44017

CERTIFIED MAIL

Dear Mr. Nowack:

On February 4, 2008, Ohio EPA received notification that Chemix Corporation had ceased regulated operations on December 31, 2007. Ohio EPA has not received a 90-day final notification from Chemix. This notification was due by March 31, 2008.

Not later than 90-days after cessation of regulated operations, an owner or operator is required to:

- Submit to the director a copy of the most recent chemical inventory report required by section 3750.08 of the Ohio Revised Code, including a statement indicating whether any asbestos-containing materials are to remain at the facility.
- Submit to the director a copy of the current hazardous chemicals list or each of the material safety data sheets required by section 3750.07 of the Revised Code.
- Remove from the facility all regulated substances and all debris, non-stationary equipment and furnishings, non-stationary containers and motor vehicles and rolling stock that contain or are contaminated with regulated substances...by doing any or a combination of the following:
  - \* Lawfully transfer the regulated substances... to another operating facility that you own or operate; or
  - \* Lawfully transfer ownership of the regulated substances...to another person; or
  - \* Cause the regulates substances...to be transported off the premises of the facility and be managed in compliance with [appropriate federal and state laws].

Chemix has failed to submit this information to Ohio EPA and has violated Ohio Administrative Code (OAC) rule **2745-352-20(A)(2)** as a result. To demonstrate efforts towards abatement of this violation, you must submit the 90-day form (copy enclosed) and all of the required information within 30-days of the date of this letter.

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Please note ORC 3752.08 requires Ohio EPA to conduct an inspection of Chemix to ensure that all regulated substances have been removed.

Enclosed is a copy of the 90-day form to assist you.

Failure to list specific deficiencies or violations in this communication does not relieve Chemix from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please feel free to contact me at: (330) 963-1170 if you have any questions.

Sincerely,



Edward J. D'Amato  
Environmental Specialist  
Division of Hazardous Waste Management

EJD:ddw

Enclosure

cc: Ralph McGinnis, DHWM, CO  
Ted Novak, Chief, Berea Fire Department  
Brandy Carny, Cuyahoga County LEPC  
Ed Siegal, Attorney (via facsimile)  
ec: Frank Popotnik, DHWM, NEDO