



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

October 17, 2007

**RE: Bradley Asbestos Abatement Co., Inc.  
4<sup>th</sup> Notice of Violation**

William Baumann  
Bradley Asbestos Abatement Company, Inc.  
P O Box 609087  
Cleveland, Ohio 44109-0087

Dear Mr. Baumann:

On October 9, 2007, Ed D'Amato and I conducted a follow up inspection of Bradley Asbestos Abatement Company located at 4275 Bradley Road, Cleveland, Ohio 44109. No one was there to meet with at that time and access was not restricted. I spoke with you on October 16, 2007, regarding the main violations and corrective action needed. I have also e-mailed the photographs I took that day to Michael Miliacci and attached a photocopy of them to this letter.

Bradley Asbestos remains in violation of the following which was first seen on May 17, 2007:

4. OAC rule 3745-279-22(D) - Response to releases of used oil.  
Some of the areas of this used oil release are shown in the photographs. This must be cleaned up immediately. This contaminated soil must be transported to a solid waste landfill. Contact me before this work is started. **Please contact me within 7 days of the date of this letter to tell me when this cleanup will occur.**

The following additional violation was found on October 9, 2007:

1. OAC rule 3745-52-11 – Hazardous waste determination.  
This rule requires that any person who generates a waste must determine if that waste is a hazardous waste. The following documents give more information regarding this:

Identifying Your Hazardous Waste, November 2006 (copy enclosed)  
<http://www.epa.state.oh.us/ocapp/sb/publications/identifyingwaste.pdf>  
Use of Generator Knowledge in Complying with OAC 3745-52-11, July 2005  
<http://www.epa.state.oh.us/dhwm/pdf/GeneratorKnowledge6.pdf>

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Bradley asbestos violated this rule by not determining whether the wastes found in the following containers were hazardous waste:

1. Black, 5-gallon can labeled "Harrison – The Paint Maker" and contains "lead and/or chromate." This was located in a trailer. Unless you can provide a Material Safety Data Sheet or sample data for this it is assumed to be a hazardous waste because both lead and chromium are chemicals that can make a waste be a hazardous waste.
2. White bucket found in the trailer.
3. Metal can found in the trailer.
4. 55-gallon drum found in the trailer.
5. One gallon jug that was about  $\frac{3}{4}$  full of a clear liquid and that was labeled "Ant – Diazinon". This was found lying on its side with solid waste outside.
6. 55-gallon drums found in a side shed to one of the buildings. At least one of these containers was full of a black liquid.

All of these containers are shown in the photographs. Respond with a written description of your determination for each of these wastes. You may want to work with a hazardous waste company, such as, on the enclosed list to make this determination. Also respond with how you plan to dispose of each waste.

The following concerns were found on October 9, 2007:

1. Many metal 55-gallon drums were seen that appeared to be empty. If you do not have a use for these drums they should be taken to a scrap metal facility.
2. If some of the solid waste dumping that has occurred on this property was done by unauthorized people, then you should install a gate to limit access.

**A written response to this letter will be expected within 30 days of the date of this letter.**

William Baumann  
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If you have any questions, please contact me at (330) 963-1217, or [robert.almquist@epa.state.oh.us](mailto:robert.almquist@epa.state.oh.us).

Sincerely,



Robert Almquist  
Division of Hazardous Waste Management

RA:cl  
enclosures

cc: Natalie Oryshkewych, DHWM, NEDO  
Michael Miliacci, JCM Construction Services Inc.

ec: Frank Popotnik, DHWM, NEDO  
Harry Sarvis, DHWM, CO  
Annie Snyder, Cleveland Department of Public Health  
Kristoffer Gontkovsky, Cleveland Division of Air Quality

**Notice:**

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