



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

November 28, 2007

RE: **Bradley Asbestos Abatement Co., Inc.**
5th Notice of Violation

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

Dear Mr. Baumann:

This letter will update the status (based on your October 23, 2007 letter) of the violations found during the inspections of Bradley Asbestos Abatement Company located at 4275 Bradley Road, Cleveland, Ohio 44109.

The following violation was the last remaining of those found on May 17, 2007:

4. OAC rule 3745-279-22(D) - Response to releases of used oil.
Your October 23, 2007 letter stated these areas were cleaned up on October 19, 2007. You also sent me a copy of a shipping paper showing that 0.39 tons of this cleanup waste was shipped to Harvard Road Transfer, Republic Waste Services on October 19, 2007. This documents your correction of this violation.

The following violation was found on October 9, 2007:

1. OAC rule 3745-52-11 – Hazardous waste determination.
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.
 2. White bucket found in the trailer.
 3. Metal can found in the trailer.
 4. 55-gallon drum found in the trailer.

You stated these 4 items are still in the trailer and that you will be contacting a waste disposal company to provide waste characterization and disposal. **Please contact me with the current status of this.**

5. One gallon jug that was about $\frac{3}{4}$ full of a clear liquid and that was labeled "Ant – Diazinon".
This jug was put in the trailer to be managed with the first 4 items.
6. At least eight 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.

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You were told by your recycling company that one of these drums contained water. You had this water taken with the contaminated soil sent to Harvard Road Transfer, Republic Waste Services on October 19, 2007. **Please contact me with information regarding whether the other drums contain any material and, if so, what material.**

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. You stated all the empty drums were put into the building and will be taken to a scrap metal facility in the future.
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. You did not address this concern in your letter.

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

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

Sincerely,



Robert Almquist
Division of Hazardous Waste Management

RA:cl

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
Michael Miliacci, JCM Construction Services, Inc.

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.