



Region 2 Enforcement & Compliance Assurance Division
Air Compliance Branch
CAA Inspection Report

Inspection Date: 10/16/2024

Facility Name: 49 Gingerbread Castle Rd

Facility Address: 49 Gingerbread Castle Rd, Hamburg NJ

ICIS-Air ID #: 3601694258

EPA Lead Inspector: Christopher Collins, EPA Inspector, Collins.Christopher.W@epa.gov

EPA Asst. Inspector: Victor Tu, EPA Inspector, tu.victor@epa.gov

Facility Contact: Joseph Park, Owner, joseph@selininy.com

State Inspector(s): James Harris, NJDOL, james.harris@dol.nj.gov

State Inspector(s): Ray Djurin, NJDOL, radovan.djurin@dol.nj.gov

Pertinent Regulatory Requirements

40 CFR Part 61 Subpart M – Asbestos NESHAPs

Background

The property at 49 Hamburg Road has an industrial history dating back to 1768, serving various purposes including iron works, gristmill, flour milling, distilling, and cement production. Notable owners include Fred H. Bennett, Nabisco, and Plastoid, an insulated wire manufacturer that operated until the 1980s. Declared eligible for historic preservation in 2003, the site was purchased by Daoftre Capital Group LLC in 2021 for warehouse use.

The NJDOL and NJDOH began investigating the site after learning that an 11-story structure was demolished, and a 7-story structure was partially demolished prior to any asbestos survey or abatement. Upon discovery of the partial demolition of the 7-story structure, a subsequent stop-work order was issued by the Township of Hardyston's Building Department.

Summary of Onsite Observations

Victor Tu and Christopher Collins ("EPA inspectors") arrived at the Gingerbread Castle Road properties at 10:00AM for a follow-up of the previous visit. Upon arrival, EPA inspectors met with Travis Sarkisen ("Bella" Contracting Services), Joseph Park ("the owner"), Paul Desser ("Desser" & Associates, LLC), and James Harris and Ray Djurin ("NJDOL"). Upon arrival, EPA inspectors noted that the site was actively maintained with morning wetting procedures using a garden hose with a sprinkler system.

Opening Conference:

EPA inspectors introduced themselves, and started a roster where all the parties present during this inspection filled out (see figure 1). Initial discussions focused on the scope of the inspection: to sample waste and follow-up on previous inspection findings.

<u>Roster</u>		
Name	Title/Organization	Contact
Chris Collins	EPA Inspector	
Victor Tu	EPA Inspector	
Travis Surkiser	Rep Bella	201-421-6013
Paul Desser	Pessent + Associates	201-344-3941
Joe Park	Owner	201-698-8777
Ray Durin	NJDOL	
James Harris	NJDOL 11:05am	

Figure 1: Roster.

Mr. Paul Desser was hired by Bella Contracting Services and is not associated with the owner Joseph Park. Mr. Frank Marino, the consultant that Mr. Park hired to assist him with the cleanup was not present at this inspection.

The demolition site contained an 11-story building with 1-foot-thick walls and a basement, as well as a 7-story building. The 11-story building was nearly fully demolished, while the 7-story building was missing one wall. According to the owner, demolition debris was processed to remove metal from the debris for recycling at 30 Gingerbread Castle Road across the street.

Site Tour:

The tour for this inspection took place at 30 Gingerbread Castle Road, Hamburg NJ. This site is across the street from the demolition site at 49 Gingerbread Castle Road, Hamburg NJ.

EPA inspectors inquired about the potential disparity between the waste visible on site, and the amount that should have been created from the demolition project. It was explained by Mr. Sarkisen and Mr. Desser that the debris generated during the demolition was either in the sloped basin in entrance of 30 Gingerbread Castle Road or remained on site at 49 Gingerbread Castle Road in the basement where the 11-story building stood. Mr. Sarkisen stated that only material that has left the site are metal from the building.

During property background discussions, Mr. Park acknowledged he did not conduct a Phase I environmental assessment and was unfamiliar with the process at the time of the demolition. According to Mr. Desser, an environmental consultant hired by Bella, an EPA notification was submitted, with Bella stating they would resend the notification to EPA inspectors. Mr. Desser explained that Thomas Garbett of Siteworks Services, who was hired by Bella as the high reach operator, had begun demolition of the 7-story building without authorization. This was documented by a text message sent to Bella on January 3, 2024, at 4:36 PM stating that the "building fell down" with a photo of the demolished wall. Bella noted this occurred after 3:00 PM which is the time Bella normally stops work. According to Bella, Garbett was attempting to reclaim lumber for resale, and it was noted that Garbett likely lacked asbestos certification.

Mr. Desser stated that the dates of the milestones for this demolition project are as

- November 2023: crusher arrived on site
- December 5, 2023: Day of demolition
- January 2024: Job shutdown
- February 23, 2024: Last day trucks were used (verified by GPS tracking according to Bella)

Mr. Desser stated that a more thorough timeline would be provided. EPA inspectors request that the written timeline be provided which Mr. Desser agreed to. EPA Inspectors agreed to providing a GoAnywhere client link at a future date to facilitate transfer of large files that could not be sent via emails.

The site's security issues were discussed. It was noted by EPA inspectors that the property had no fencing. Mr. Sarkisen reported receiving notification of unauthorized skid steer activation on his phone. Bella had also discovered unauthorized dumping onto the site. Mr. Sarkisen stated that the lack of perimeter fencing allowed unrestricted access to the site. According to Mr. Sarkisen, an excavator was positioned to block the entrance after discovering the unauthorized activities. At the time of the inspection, there was no excavator blocking the entrance of the site.

EPA inspectors asked about the amount of debris material that was moved to 30 Gingerbread Castle Road for processing to remove metals from the debris. Mr. Sarkisen stated that approximately 45-50 20-cubic yard containers were moved to the current location from the previous location where material was stored (in the

back of the site) at the NJDEP's request. Four 20-yard containers of metal were recycled which Mr. Sarkisen indicated that waste tickets from Simsmetal processing is available if needed.

EPA inspectors requested Mr. Sarkisen walk around the perimeter of the site where debris was initial placed for processing and the location that it is currently at. Based the points that Mr. Sarkisen provided, EPA inspector estimated the perimeter and surface area of the potentially contaminated area using Google Earth. The result is provided in figure 2 and 3.

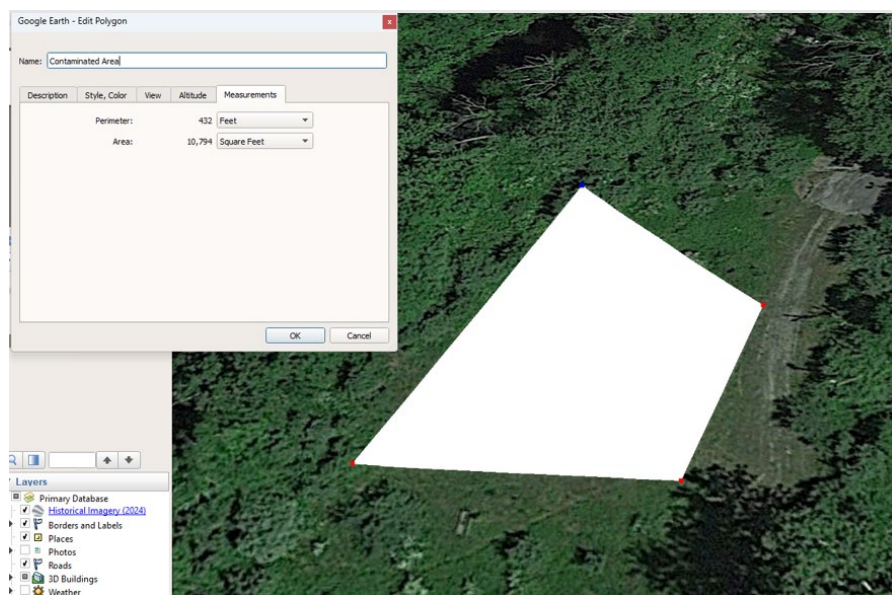


Fig 2, Perimeter and surface area of debris processing area

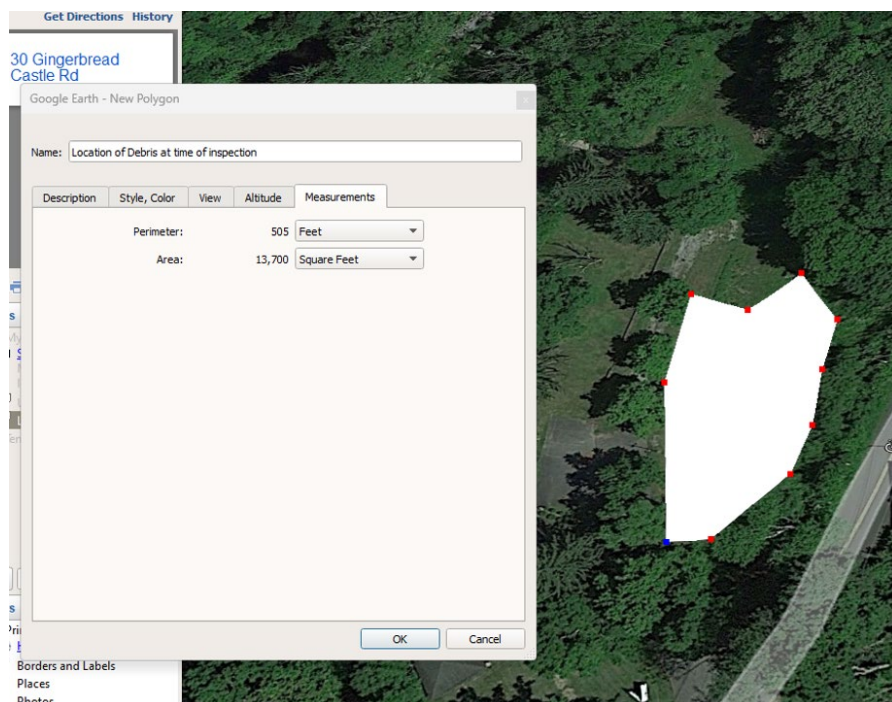


Fig 3, Perimeter and surface area of debris storage area

According to Mr. Sarkisen the debris depth is approximately 7 feet. Bella explained that when the material was moved from the original site, it was scraped from ground level and put into containers in order to transfer it to the current location. No excess soil under the debris was intentionally removed when they were moving the debris from the debris processing area to the storage area.

Bella's vehicle operations onsite ceased when DOT pulled all registrations. According to Mr. Sarkisen, GPS tracking systems on the equipment, including trucks and skid steers, could be available to verify all vehicle movements. EPA request that Bella provide this GPS data and Mr. Sarkisen agreed to provide it together with the documents that Mr. Desser was going to provide.

During the site walkthrough, EPA inspectors took samples from two distinct piles of debris which Mr. Sarkisen claimed were attributed to unauthorized dumping by unknown persons. One pile was in the back of the property where the construction debris was initially stored. The other pile was at the front of the property where the current debris is stored. Materials at both unknown piles were noted by EPA inspectors to be similar in composition. Desser indicated that the several piles of household and miscellaneous waste were likely dumped by other parties due to the lack of fencing.

Closing Conference:

The inspection concluded with a closing conference where observations were discussed. Next steps were also discussed. EPA inspectors requested copies of the following during the inspection, and again via email on 10/17/2024.

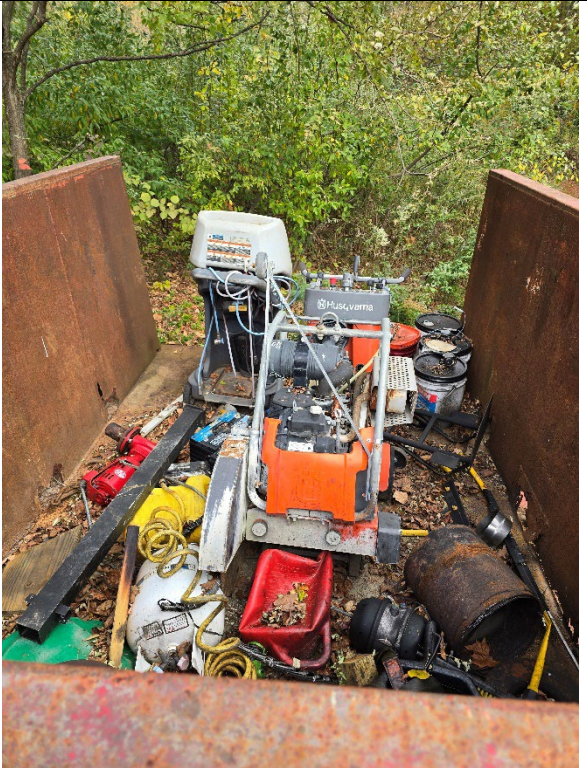
- Materials to be sent to EPA:
 - EPA Notifications (Bella)
 - Project timeline (Bella)
 - Metal Recycling Tickets (Bella)
 - GPS Tracking Data (Bella)
 - Text between Bella and Garbett (Bella)
 - Updated Work Plan (Owner)
 - Log of personnel present during demolition work (Bella and Owner)
 - Wetting logs (Owner)

Areas of Concern:

- Potential improper handling and disposal of asbestos-containing materials.
- Lack of required signage warning of asbestos.
- No visible wetting of materials containing asbestos.
- Uncertainty about asbestos training and certification of demolition personnel.
- Multiple debris piles with unknown content and origin, including some possibly from other sites.
- Possible burial of asbestos containing waste material into the ground.
- Lack of proper documentation and planning for asbestos management.
- Incomplete information about waste removal and recycling processes – i.e., missing concrete/waste.

Appendix:

20241016_104303.jpg	Debris was said to be dumped by unknown parties in the debris storage area at the entrance of 30 Gingerbread castle road	
20241016_105130.jpg	Container full of household waste in the debris storage area at the entrance of 30 Gingerbread castle road	
20241016_105140.jpg	Outside of Container from Photo 002	

20241016_105211.jpg	Container with material and equipment from Bella in the debris storage area at the entrance of 30 Gingerbread castle road	
20241016_110903.jpg	Debris said to be dumped by unknown parties in the debris processing area.	

20241016_113536.jpg	Sample GBC001: White Material	
20241016_113753.jpg	Sample GBC001 (in bag)	

20241016_113912.jpg	Sample GBC002: White Decorative Panel	
20241016_114004.jpg	Sample GBC002 (in bag)	

20241016_114120.jpg	Sample GBC003: Floor Tile	
20241016_114244.jpg	Sample GBC003 (in bag)	

20241016_114632.jpg	Sample GBC004: White Material	
20241016_114905.jpg	Sample GBC004 (in bag)	

20241016_115127.jpg	Sample GBC005: Multiple Layered Troweled-On Material	
20241016_115339.jpg	Sample GBC005 (in bag)	

20241016_115601.jpg	Sample GBC006: Wall Board / Gypsum	
20241016_115632.jpg	Sample GBC006 (in bag)	

20241016_123649.jpg	At approximately 12:30 PM, EPA inspectors start looking at the debris said to be dumped by unknown parties in the debris storage area at the entrance of 30 Gingerbread castle road. The material appears to have same consistency as material found in pile in the processing area.	
20241016_123655.jpg	At approximately 12:30 PM, EPA inspectors start looking at the debris said to be dumped by unknown parties in the debris storage area at the entrance of 30 Gingerbread castle road. The material appears to have same consistency as material found in pile in the processing area, thus EPA inspectors decide to take only two samples from this pile. Sample 007 and 008 was taken.	

20241016_123904.jpg	Sample GBC007: Plaster from Tiles (ceramic) Mastic	
20241016_123955.jpg	Sample GBC007 (in bag)	

20241016_124006.jpg		
20241016_124117.jpg	Sample GBC008: Pipe Insulation	

20241016_124242.jpg	Sample GBC008 (in bag)	
20241016_131416.jpg	Site where construction debris currently resides.	

Lead Inspector's Name: Christopher Collins

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Lead Inspector

Assisting Inspector's Name: Victor Tu

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Assisting Inspector

Supervisor's Name: Robert Buettner

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Supervisor