



## REGION 2

NEW YORK, N.Y. 10007

February 16, 2024

### **SENT VIA EMAIL – REQUEST DELIVERY RECEIPT**

[ed.bash@kellydrums.com](mailto:ed.bash@kellydrums.com)

Mr. Ed Bash  
Compliance Manager  
Patrick J. Kelly Drums, Inc.  
2109 Howell Street  
Camden, New Jersey 08105

**Re: Notice of Violation  
Patrick J. Kelly Drums, Inc.  
EPA ID No. NYD986610863**

Dear Mr. Bash:

The United States Environmental Protection Agency is charged with the protection of health and the environment under Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. § § 6901, 6928.

Pursuant to RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 Code of Federal Regulations (C.F.R.) Parts 260-272. For the purposes of this Notice of Violation, the hazardous waste regulations governing the generation of hazardous waste were promulgated in 1980 and amended by HSWA in 1984.

On or about July 18, 2023, duly authorized representatives on behalf of EPA conducted an inspection of Patrick J. Kelly Drums, Inc. (hereafter referred to as the facility) located at 2109 Howell Street, Camden, New Jersey. This inspection was performed pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, to evaluate your compliance with RCRA.

The State of New Jersey is authorized by the EPA to conduct a hazardous waste program under Section 3006 of RCRA, 42 U.S.C. § 6926 and is authorized to enforce RCRA. The EPA has retained its authority to enforce the hazardous waste rules and regulations in the State of New Jersey.

Enclosed you will find a copy of the inspection report prepared by the authorized EPA representatives (Enclosure I). The Regulatory Concern detailed in Section III of the inspection report, titled Areas of Concern, is hereby incorporated by reference as the Notice of Violation (NOV) which is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the HSWA and RCRA, 42 U.S.C. § 6928. Issuance of this Notice of Violation and compliance with its terms do not preclude EPA from taking any other formal enforcement action against you and/or your company under Section 3008 of RCRA, 42 U.S.C. § 6928, or any other applicable regulation or statute.

If you have not already done so, you must take immediate action to correct the violations described in the Areas of Concern section of the inspection report. Please submit within thirty (30) calendar days of receipt of this Notice of Violation, a response which includes for each regulatory concern either:

- A detailed rebuttal explaining why the violation did not exist at the time of the inspection, or
- a description of the actions you have taken to correct the violation.

In either case, please provide supporting documentation (e.g., photographs, inspection records, operating records, manifest copies) demonstrating that each violation either did not exist or was corrected. The response must be signed by a responsible official or agent of your company using Enclosure II. The response to this letter with the signed Certification of Answers (Enclosure II) must be emailed to [thomas.derval@epa.gov](mailto:thomas.derval@epa.gov).

If you have any questions regarding this matter, please contact Mr. Thomas at 212-637-3577.

Sincerely,

**LEONARD**

**VOO**

Leonard Voo

Manager

RCRA Compliance Branch

Digitally signed by  
LEONARD VOO  
Date: 2024.02.16 10:34:25  
-05'00'

Enclosures: Enclosure I – Inspection Report  
Enclosure II – Certification of Answers

**Enclosure I**  
**Inspection Report**  
**Patrick J. Kelly Drums, Inc.**

**Enclosure II**  
**Certification of Answers**  
**Patrick J. Kelly Drums, Inc.**

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**CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in response to EPA's Notice of Violation, and all documents submitted herewith; that the submitted information is true, accurate, and complete; and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

\_\_\_\_\_  
Name (print or type)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
TITLE