NATIONAL RESPONSE CENTER - FLASH FAX
xxxGOVERNMENT USE ONLYxxxGOVERNMENT USE ONLYxxx
DO NOT RELEASE this information to the public without
permission from the NATIONAL RESPONSE CENTER 1-800-424-8802

Incident Report # 738264

132434

INCIDENT DESCRIPTION

xReport taken by: CIV CREWS at 16:38 on 13-OCT-04
Incident Type: FIXED
Incident Cause: DUMPING
Affected Area:
The incident was discovered on 14-SEP-04 at 10:00 local time.
Affected Medium: LAND ATMOSPHERE>LAND>UNKNOWN CREEK

REGIONAL CASE NUMBER PA050023

REPORTING PARTY

Name: LINDA MARZULLI
Organization: EPA III
Address: 1650 ARCH ST.
PHILADELPHIA, PA 19103

PRIMARY Phone: (215)8143255
Type of Organization: STATE GOVERNMENT

SUSPECTED RESPONSIBLE PARTY

Name: GEORGR WEBB ANDRUS III
Organization: ANDRUS CONSTRUCTION
Address: 52 E. PLEASANT STREET >
BAKER HILL ROAD
CORRY, PA 16407

Type of Organization: PRIVATE ENTERPRISE

INCIDENT LOCATION

RR2, BOX 208 County: ERIE
City: CORRY State: PA
BENDER COMPANY

RELEASED MATERIAL(S)

DESCRIPTION OF INCIDENT

ANDRUS CONSTRUCTION HAS ENGAGED IN THE ILLEGAL DISPOSAL OF TOXIC CHEMICALS. BENDER COMPANY HAS DISPOSED OF HAZARDOUS WASTE, CHEMICALS, MATERIALS THAT ARE TOXIC AND CHARGE A FEE TO DO THISALTHOUGH HE HAS NO LICENSE TO DO THIS; THIS COMPANY DISPOSES OF THESE ITEMS VIA DUMPING, BURNING, POURING INTO CREEK WITH ANDRUS CONSTRUCTION.

INCIDENT DETAILS

Building ID:
Type of Fixed Object: OTHER
Power Generating Facility: UNKNOWN
Generating Capacity:
Type of Fuel:
NPDES:
NPDES Compliance: UNKNOWN

OSC Easton

DAMAGES

Fire Involved: NO Fire Extinguished: UNKNOWN
INJURIES: Hospitalized: Empl/Crew: Passenger:

FATALITIES: Empl/Crew: Passenger: Occupant:
EVACUATIONS: Who Evacuated: Radius/Area:
Damages:

Closure Type	Description of Closure	Hours Closed	Direction of Closure
Air: N			
Road: N			Major Artery: N
Waterway: N			
Track: N			

Media Interest: NONE Community Impact due to Material: NO

REMEDIAL ACTIONS

NOT GIVEN
Release Secured: UNKNOWN
Release Rate:
Estimated Release Duration:

WEATHER

Weather: UNKNOWN, :F

ADDITIONAL AGENCIES NOTIFIED

Federal:
State/Local:
State/Local On Scene:
State Agency Number:

NOTIFICATIONS BY NRC

ATSDR NY
13-OCT-04 16:51 (212)6374307
U.S. EPA III
(215)8149016
NOAA 1ST CLASS BB RPTS FOR PA
13-OCT-04 16:51 (206)5266344
BUREAU TOXIC SUBSTANCE R. WILBURN
13-OCT-04 16:51 (518)4027810
OH EPA ATTN: DUTY OFFICER
13-OCT-04 16:51 (614)2240946
PA EMERG MGMT AGCY ATTN:J. BAHNWE
13-OCT-04 16:51 (717)6512001

ADDITIONAL INFORMATION

BENDER COMPANY IS A REFIGERATED AND AIR CONDITIONING DEALER.

xxx END INCIDENT REPORT 738264 xxx
Report any problems or Fax number changes by calling 1-800-424-8802
PLEASE VISIT OUR WEB SITE AT http://www.nrc.uscg.mil

faxed to PADEP VI 10/14/04
Lm

NRC

Marjorie Easton
10/12/2004 01:10 PM

To: Linda Marzulli/R3/USEPA/US@EPA
cc:
Subject: Andrus Construction Erie/ Corry PA

Linda, Do you have an NRC report for this company... It was on or about 9/14. Charlie wants me to do an assessment. I don't know if I ever received the report. I have an email from Charlie but that's about it.
Marjorie

Marjorie Easton, OSC
Removal Response Section (3HS31)
304-234-0251 (office)
304-234-0259 (fax)
easton.marjorie@epa.gov

faxed copy of report to Marjorie 10/14/04 LM

Karen Melvin
09/16/2004 08:35 AM

To: Frank Fritz/R3/USEPA/US@EPA
cc: Linda Marzulli/R3/USEPA/US@EPA
Subject: Re: Andrus Construction/Bender Company

Frank, this should go to the Response Room.
Frank Fritz

Frank Fritz
09/14/2004 10:15 AM

To: R3 ORC-MGRS, Karen Melvin/R3/USEPA/US@EPA
cc: Carlyn Prisk/R3/USEPA/US@EPA
Subject: Andrus Construction/Bender Company

Dear People: For you information. You may want to check with your program counterparts about this.

Dear Karen: Could you please forward to the enforcement managers?

If folks want a copy of the notice, please call or email Carlyn Prisk.

Thanks,
Frank

----- Forwarded by Frank Fritz/R3/USEPA/US on 09/14/2004 10:13 AM -----

Carlyn Prisk
09/14/2004 10:00 AM

To: James Thompson/R3/USEPA/US@EPA, Jim Mccreary/R3/USEPA/US@EPA
cc: Frank Fritz/R3/USEPA/US@EPA
Subject: Andrus Construction/Bender Company

I received a notice in the mail today from HQ which has nothing to do with bankruptcy, but which I feel obligated to pass along to you.

In short, the Order to Show Cause from (b) (6)(b) (6) in the County of Erie, alleges that George Webb Andrus, III, d/b/a Andrus Construction, has, among other things, engaged in the illegal disposal of toxic chemicals. The affidavit in support of the order states, "...the Bender Company has disposed of hazardous waste, chemicals, materials that are toxic and charge a fee to do this although he has no license to do this and disposes of these items of Baker Hill Road via dumping, burning, pouring into creek with Andrus Construction."

The Bender Company is located at RR2, Box 208, Baker Hill Road, Corry, PA 16407. It is a refrigeration and air conditioning dealer. The Bender company is a PA fictitious name owned by Robert J. Kreitzbender. Andrus Construction operates out of 52 East Pleasant Street, Corry, PA.

Truthfully, this looks like someone with an ax to grind (he's petitioning from jail) but I wanted to pass it along anyway.

WasteLAN is negative for any of the above information.

Carlyn

(Frank, I'm not sure who in ORC would need to see this).

Charlie Kleeman
09/24/2004 11:00 AM

To: Linda Marzulli/R3/USEPA/US@EPA
cc:
Subject: Re: Andrus Construction/Bender Company

Linda,
Probably a good idea to turn this into an incident report. Marge Easton will conduct a removal assessment.
Charlie

Charles L. Kleeman, Chief
Removal Response Section (3HS31)
215-814-3257 (office)
215-514-9311 (cell)
----- Forwarded by Charlie Kleeman/R3/USEPA/US on 09/24/2004 10:59 AM -----

Marjorie Easton
09/14/2004 09:47 PM

To: Charlie Kleeman/R3/USEPA/US@EPA
cc:
Subject: Re: Andrus Construction/Bender Company

Yes. Sounds like the Clarion response. But Corry started in similar manner. Must be the northwest Pa effect. Marjorie

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Sent by EPA Wireless E-Mail Services.
Charlie Kleeman

From: Charlie Kleeman
Sent: 09/14/2004 02:24 PM
To: Marjorie Easton
Subject: Fw: Andrus Construction/Bender Company

Marge,
Does this site/situation ring a bell with you?
Charlie

Charles L. Kleeman, Chief
Removal Response Section (3HS31)
215-814-3257 (office)
215-514-9311 (cell)
----- Forwarded by Charlie Kleeman/R3/USEPA/US on 09/14/2004 02:24 PM -----

Gerald Heston
09/14/2004 01:27 PM

To: Charlie Kleeman/R3/USEPA/US@EPA
cc:
Subject: Fw: Andrus Construction/Bender Company

Charlie, this may be of interest.

Sent by EPA Wireless E-Mail Services.
Joseph Donovan

From: Joseph Donovan
Sent: 09/14/2004 10:20 AM
To: Allison Gardner; Andrew Duchovnay; Catherine Mccool; Daniel Boehmcke; Donzetta Thomas; Jefferie Garcia; John Monsees; Mary Rugala; Natalie Katz;

Thomas Cinti; Fran Burns; Gerald Heston
Subject: Andrus Construction/Bender Company

FYI--JOE

Frank Fritz
09/14/2004 10:15 AM

To: R3 ORC-MGRS, Karen Melvin/R3/USEPA/US@EPA
cc: Carlyn Prisk/R3/USEPA/US@EPA
Subject: Andrus Construction/Bender Company

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Thanks,
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09/14/2004 10:00 AM

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cc: Frank Fritz/R3/USEPA/US@EPA
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