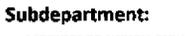


Department:   
  
DAPC

Subdepartment:   
  
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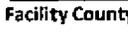
Program:   
  
DAPC-OTHER

Office Location:   
  
IAA-HAMCO

Media:   
  
AIR

Doc Type:   
  
NOV

Doc Subtype:   
  
DAPC-Asbestos

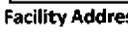
Facility County:   
  
31 - HAMILTON

Facility ID:   

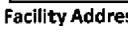

Date:   
  
1/18/2012

Facility Name:   
  
Wayne Contractors

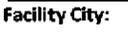
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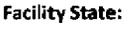
Facility Address 1:   
  
7959 Harrison Avenue

Your input is 20 characters long (Max 40).

Facility Address 2:   


Your input is 0 characters long (Max 40).

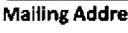
Facility City:   
  
Clevel

Facility State:   
  
OH

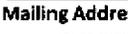
Facility ZIP: (00000 or 00000-0000)  
  
  
45002

Organization Name:   

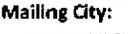

Your input is 0 characters long (Max 40).

Mailing Address 1:   

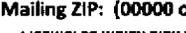

Your input is 0 characters long (Max 40).

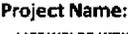
Mailing Address 2:   

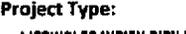

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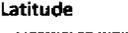
Mailing City:   


Mailing State:   
  
<NONE>

Mailing ZIP: (00000 or 00000-0000)  
  


Project Name:   


Project Type:   


Latitude:   


Longitude:   


**HAMILTON COUNTY**  
**ENVIRONMENTAL**  
**S E R V I C E S**  
**Air Quality • Solid Waste**

1/18/2012

Certified Mail

Randy Wayne  
Wayne Contractors  
7959 Harrison Avenue  
Cleveland, Ohio 45002

Re: NOTICE OF VIOLATION – Failure to Notify and Failure to Inspection for Asbestos

Facility ID: Asbestos

Wayne Contractors

Locations: 727 and 729 Ridgeway Avenue, Cincinnati, Ohio 45229

940 Summit Avenue, Cincinnati, Ohio 45204

Hamilton County

Dear Mr. Wayne:

On December 29, 2011, the Southwest Ohio Air Quality Agency ("Agency") was notified by the City of Cincinnati Building Department that Wayne Contractors had demolished two residential structures located at 727 and 729 Ridgeway Avenue and 940 Summit Avenue in Cincinnati without obtaining the Ohio EPA Notification of Demolition and Renovation permit. The Agency was also informed that these buildings were not inspected for asbestos prior to demolition. On January 05, 2012, agency personnel inspected the Ridgeway and Summit demolition sites. All demolition debris had been removed from the Ridgeway site; however, the demolition debris still remained at the Summit demolition site. Four samples of suspect material were collected, all tested negative for asbestos content. Upon further review of our records, it was determined that notification for these demolitions was not submitted to this office prior to demolition. This is a violation of 40 CFR 61.145 (b)(3)(i) and OAC Rule 3745-20-03 (A)(2)(a) which requires that the Agency be notified ten working days prior to the start of the demolition project. A working day is defined as Monday through Friday and would include any holiday that may fall on Monday through Friday. Further investigation also confirmed that the buildings were not inspected for asbestos containing materials prior to the start of demolition. Failing to have a building thoroughly inspected for asbestos prior to demolition is a violation of OAC Rule 3745-20-02 (A). On January 03, 2012, this Agency received notification from your company for the aforementioned demolition projects. By February 04, 2012, Wayne Contractors are required to submit to the Agency a compliance plan which will prevent this situation from recurring.

Acceptance by the Ohio EPA of a compliance plan does not constitute a waiver of the EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. The determination to pursue or decline to pursue such penalties in this case will be made by the Ohio EPA at a later date.

The violations identified above also constitute a violation of Title X, City of Cincinnati Municipal Code and City of Cincinnati local Health Department rules. Title X is enforced by the City Solicitor's Office and the City of Cincinnati local Health Department rules are enforced by the Southwest Ohio Air Quality Agency.

The City Solicitor's Office has requested that this agency notify them of all Title X violations identified by this agency. Consequently, a copy of this Notice of Violation has been sent to the City Solicitor's Office. The City Solicitor's Office has requested that a copy of all compliance plans be forwarded to their office. Therefore, please send a copy of the compliance plan to the City Solicitor's Office, attn: Heidi Rosales, City Hall Room 226, 801 Plum Street, Cincinnati, Ohio, 45202.

Failure to comply with applicable regulations for this and future projects may result in additional legal action including referral to the Office of the Attorney General

250 William Howard Taft Road, Cincinnati, Ohio 45219

phone 513-946-7777 fax 513-946-7778

[www.hcdoes.org](http://www.hcdoes.org)



Randy Wayne  
Page Two

If you have any questions, feel free to contact me directly at (513) 946-7743.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ken Wilkins".

Ken Wilkins  
Environmental Specialist

cc: Tom Kalman, Central Office, Ohio EPA  
William MacDowell, Region 5 U.S. EPA