



State of Ohio Environmental Protection Agency

Southwest District Office

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Dayton, Ohio 45402

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

CERTIFIED MAIL

August 20, 2009

Mr. Clark A. Siddle
Project Manager
Alloyd Asbestos Abatement Company
5734 Webster Street
Dayton, Ohio 45414

NOTICE OF VIOLATION

Re: Demolition of structures located at 213 South Main Street, Bellefontaine, Ohio 43311

Dear Mr. Siddle:

You are hereby notified that the Ohio Environmental Protection Agency (Ohio EPA) finds Alloyd Asbestos Abatement Company to be in violation of state and federal regulations as they relate to the proper filing of the Ohio EPA Notification of Demolition and Renovation form.

Subsequent to a complaint received on August 5, 2009, an inspection was conducted on August 6, 2009 and it was determined that a commercial building at 213 S. Main St., Bellefontaine had been demolished. No notification was filed for demolition of the structure prior to commencing demolition activities.

The Ohio and U.S. Environmental Protection Agency require prior notification of planned activities at regulated structures. The notification is conducted through the submission of a completed Ohio EPA Notification of Demolition and Renovation form to the appropriate agency or office at least ten working days prior to any regulated demolition/renovation activity.

Prior to notifying the agency of the planned activity, the building owner or operator must first conduct a thorough survey of the affected part(s) of the facility for the presence of asbestos-containing materials. This survey must be completed by a state certified Asbestos Hazard Evaluation Specialist. Contingent upon the types and quantities of asbestos located within the structure, the owner or operator could be required to remove the material prior to the planned activity.

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Affected structures include, but are not limited to, bridges, tunnels, commercial, industrial, public and farm buildings, certain residential buildings and apartment complexes.

This inspection was conducted for the purpose of determining compliance with the Ohio Asbestos Emission Control Rules specified in Ohio Administrative Code (OAC) 3745-20 and the National Emission Standards for Hazardous Air Pollutants specified in 40 CFR Part 61, Subpart M.

The conditions found during this inspection constitute violation of the notification requirements established by OAC rule 3745-20-03 (A) and 40 CFR Section 61.145 (b).

This letter does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.06 and 3707.49 of the Ohio Revised Code. The determination to pursue such penalties will be made by the Ohio EPA at a later date.

If you have any questions or comments, or wish to discuss this matter further, please feel free to contact me at (937) 285-6032.

Sincerely,



Terry A. Sanner
Division of Air Pollution Control

cc: Lisa Holscher, U.S. EPA, Region V
Tom Buchan, CO/DAPC
John Paulian, CO/DAPC

TAS/mab