

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

January 4, 2011

CERTIFIED MAIL

Burge Wrecking LLC
5145 Stickney Avenue
Toledo, OH 43612

RE: Notice of Violation

Dear Mr. Burge:

Enclosed is a Notice of Violation for non-compliance with the Toledo Municipal Code (TMC) Chapter 1787 and the Ohio Administrative Code (OAC) Chapter 3745 regarding Asbestos/ Demolition Standards at the property located at 403 Broadway Road, in Toledo, Ohio.

Please review this document carefully, as some action is required on your part. Please contact me if you have any questions or need any additional information at (419) 936-3015 or at lynn.pedro@toledo.oh.gov.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Pedro".

Lynn Pedro
Senior Environmental Specialist

LP/lmp

cc: Tom Buchan, Ohio Environmental Protection Agency
Shamus Estep, Ohio Department of Health
Timothy D. Murphy, Commissioner, Environmental Services
Karen P. Granata, Chief, Air Resources ✓

Timothy D. Murphy, Commissioner
DIVISION OF ENVIRONMENTAL SERVICES
Quilter Environmental Center
348 South Erie Street, Toledo, Ohio 43604-8633 USA
Telephone: 419-936-3015 Fax: 419-936-3959 E-mail: tim.murphy@toledo.oh.gov

Notice of Violation

January 4, 2011

The City of Toledo, Division of Environmental Services hereby serves notice that:

Burge Wrecking LLC
5145 Stickney Avenue
Toledo, Ohio 43605

Has violated the following environmental laws, orders, rules, or regulations on the indicated dates at the above address.

Date of violation:

December 27, 2010

Description of violation:

City of Toledo, Environmental Services officials observed that demolition (including asbestos) occurred without proper notification or procedures at the property located at 403 Broadway Street in Toledo, Ohio. We received a faxed copy of the Asbestos Survey with an attached note saying that the notification and check were to follow. Our office has received neither the form nor the check.

Regulation(s) violated:

TMC 1787.05 (a) & (b)

Standard for Demolition and Renovation.

OAC 3745-20-03

Standards for demolition and renovation, facility inspection, and determination of applicability.

Required Actions

Upon receipt of this notice, you are required to:

1. Abate the violation(s) or provide acceptable remedies.
2. Reply in writing to this Notice of Violation within Fourteen (14) calendar days. The reply shall include:
 - a. Description(s) and date(s) of action(s) taken to abate the violation.
 - b. "Notification of Demolition and Renovation" Form, and a check payable to the City of Toledo for the amount due of \$50.00
 - c. Description(s) of action(s) taken or to be taken to **prevent recurrence** of the violation(s).

Your written response, and any questions regarding this Notice of Violation, should be directed to Lynn Pedro, Division of Environmental Services, 348 S. Erie St., Toledo, Ohio 43604, phone: (419) 936-3767.

This Notice of Violation is not a final action of the Director of Public Utilities. The City of Toledo reserves the right, pursuant to Chapter 1787 of the Toledo Municipal Code and any other applicable local, state, and federal laws or regulations to require further site investigation and abatement to address releases of hazardous wastes, hazardous substances, industrial wastes, or other wastes, pollutants, or contaminants into the environment at the above designated site and to seek civil penalties, reimbursement of oversight costs, response costs, and any other appropriate legal or equitable relief for any violation of law.

