

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

May 4, 2011

CERTIFIED MAIL

Haythorne Enterprises-HEI Properties
2415 Glenwood
Toledo, OH 43620

RE: Notice of Violation

Dear Mr. Haythorne:

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 1157 Grand Avenue, 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 lynn.pedro@toledo.oh.gov.

Sincerely,

Lynn Pedro
Senior Environmental Specialist

LP/Imp

cc: Tom Buchan, Ohio Environmental Protection Agency
Shamus Estep, Ohio Department of Health
William MacDowell, USEPA, Region V
Timothy D. Murphy, Commissioner, Environmental Services
Karen P. Granata, Chief, Air Resources ✓
John Huffman, attorney

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

May 4, 2011

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

Haythorne Enterprises (HEI)
2415 Glenwood Avenue
Toledo, Ohio 43620

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

Date of violation:

April 21, 2011
FAILURE TO NOTIFY

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 1157 Grand Avenue in Toledo, Ohio. We received an original notification of demolition and renovation dated July 20, 2009 to be finished on September 2009. Recent activity at this site has been noted; therefore, a new notification should have been submitted to Environmental Services and possibly an Asbestos survey.

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 to be sent to Environmental Services regarding said property, along with any asbestos surveys and monies due for the notification.
 - 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.

