



PORTSMOUTH LOCAL AIR AGENCY

USEPA AND OEPA REPRESENTATIVE FOR ADAMS, BROWN, SCIOTO AND LAWRENCE COUNTIES
605 Washington Street, Third Floor, Portsmouth, Ohio 45662 (740) 353-5156 Fax (740) 353-3638

02/10/2011

CERTIFIED MAIL

1st Stop Mount Orab #4
Mr. Robert Cantrell
P. O. Box 175
Winchester, OH 45697

Re: Warning Letter

Dear Mr. Cantrell:

This letter is in reference to the demolition of the 1st Stop Mount Orab #4, 101 South High Street, Mount Orab, OH 45154. Demolition operations are subject to compliance with the National Emission Standards for Asbestos Code of Federal Regulations (CFR) Chapter 40, Part 61, Subpart M and Ohio Administrative Code (OAC) rule 3745-20 titled Ohio Asbestos Emission Control Rules. A copy of these rules is enclosed for your reference.

Section 61.145 of the federal rule and OAC Rule 3745-20-03 requires each owner or operator (demolition contractor) of a demolition to comply with notification requirements under these rules. Compliance with these requirements is possible by completing the enclosed form titled "OEPA notification of demolition and renovation" and submitting this form **ten working days** prior to the start of the demolition or renovation. Also in accordance with above mentioned rules, an evaluation for the purpose of identifying asbestos containing material (ACM) is to be conducted by an asbestos hazard evaluation specialist certified by the Ohio Department of Health prior to the start of any commercial demolition or renovation.

On January 5, 2011, an inspection of the previously mentioned location indicated that the demolition had been completed.

It was determined that this demolition is subject to the requirements under 40 CFR Part 61, Subpart M, and Ohio asbestos emission control rules. It was further determined that there had been no notification of the demolition/renovation prior to any wrecking or breaking up of the structure.

Failure to submit a notification for demolition/renovation activity is a serious violation of the Clean Air Act, which provides for substantial penalties for non compliance. Without a proper and timely notification, this office cannot inspect the operations to determine the extent of

compliance. Both the facility owner and the demolition contractor are subject to compliance with the abovementioned rules.

This warning letter in no way waives the right of the Ohio EPA or USEPA to pursue additional enforcement action. Further communications may be directed to regarding this violation. All future demolition/renovation operations under your supervision or contractual control must comply with both state and federal laws pertaining to demolitions/renovations.

If you have any questions, please do not hesitate to contact me (740) 353-5156 ext. 289 for further guidance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Louis Boerger', is written over a horizontal line.

Louis Boerger
Permit Specialist
Portsmouth Local Air Agency