



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, ext 285 Fax (740) 353-3638

March 7, 2008

Certified Mail

Total Environmental Services, LLC
Terry Luhring, President
1950 Clinton Street
Toledo, OH 43607

Re: Notice of Violation - Removal activities at the Burlington Elementary School building, located at 8781 County Road 1, South Point, OH

Dear Mr. Luhring,

You are hereby notified that the Portsmouth Local Air Agency (PLAA) finds Total Environmental Services, LLC, a asbestos abatement contractor, to be in violation of corresponding state and federal regulations as they relate to asbestos emission control and waste disposal for asbestos removal operations at the above-referenced facility.

On November 29, 2007, PLAA received a notification from Total Environmental Services, LLC for the abatement of 850 linear feet and 17,502 square feet of regulated asbestos-containing material (ACM) at the Burlington Elementary School building located at 8781 County Road 1, South Point, Ohio that is scheduled for demolition. The asbestos removal work was scheduled to take place from January 2, 2008 through January 25, 2008. Subsequent revisions extended the completion date to February 27, 2008.

On February 25, 2008, a PLAA representative conducted an asbestos inspection of the Burlington Elementary School building. The PLAA representative observed 5 roll off containers not labeled as containing asbestos material, friable ACM in asbestos labeled black bags only single bagged with the ACM not adequately wet, friable ACM in white woven-nylon burlap bags that were not leak-tight, friable ACM on the ground and friable ACM on roll off containers. The PLAA representative did not observe any removal of asbestos during the inspection. A representative from Total Environmental Services, LLC and Gandee & Associates advised the PLAA representative that all removal of regulated ACM had been completed. Samples were collected and photographs were taken of all areas in question.

The above PLAA inspection was conducted for the purpose of determining compliance with the Ohio Administrative Code (OAC) Asbestos Emission Control Standards and Procedures in

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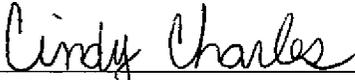
Chapter 3745-20 and the National Emissions Standards for Hazardous Air Pollutants (NESHAP) 40 Code of Federal Regulations (CFR) Part 61, Subpart M.

The conditions found during the PLAA inspections constitute violations of OAC 3745-20-04 (A)(6)(a), OAC 3745-20-05(B),(C),(D) and 40 CFR 61.145(c)(2)(i),(4),(6)(I) pertaining to proper emission controls and waste disposal.

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

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

Sincerely,


Cindy Charles
Director
Portsmouth Local Air Agency

cc: Tom Buchan, DAPC
cc: John Paulin, DAPC
cc: Lisa Holscher, USEPA
cc: Josh Koch, ODH