



## REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

117 South Main Street, Dayton, Ohio 45422-1280

937-225-4435 — Fax: 937-225-3486

www.rapca.org

August 6, 2010

### CERTIFIED MAIL

Reuben Peppers  
A.R. Environmental Inc.  
1706 John Street  
Cincinnati, Ohio 45214

Re: **City of Dayton Nuisance Demolition Project**

### NOTICE OF VIOLATION

Dear Mr. Peppers:

You are hereby notified that the Regional Air Pollution Control Agency (RAPCA) finds A.R. Environmental Inc. (A.R.) to be in violation of local asbestos regulations as they relate to proper notification procedures for asbestos abatement operations for seventeen projects throughout the city of Dayton, Ohio.

Montgomery County Hazardous Air Pollution Control Regulation 150 (MCHAPCR 150) governs over the demolition and renovation of all buildings, structures, installations, operations, which contains one or more source(s) of friable asbestos within Montgomery County. The purpose of MCHAPCR 150 is to protect the health and safety of the citizens of Montgomery County. The MCHAPCR 150 regulation is applicable to all institutional, commercial, industrial and apartment buildings and to all single and multi-family residences from which friable asbestos will be removed. Asbestos abatement activities involving the removal of fifty (50) square feet, linear feet, or any combination thereof, of friable asbestos is subject to MCHAPCR 150 and must be inspected for asbestos and notification must be submitted to RAPCA prior to the start of asbestos abatement activities.

A.R. performed asbestos abatement activities, of fifty feet or more, at each of the following structures without prior notification submitted to RAPCA:

15-17 N. Kilmer Street  
2033 Howell Avenue  
3514 Germantown Street  
1510 Hochwalt Avenue  
132 Gold Street  
1729 Gilsey Avenue

Mr. Reuben Peppers  
August 6, 2010  
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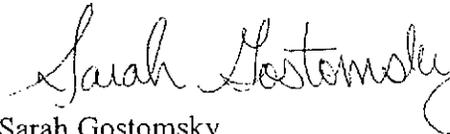
1414 Home Avenue  
1553 Home Avenue  
1609-11 Home Avenue  
2431-33 Lakeview Avenue  
829 Lexington Avenue  
210-12 Lookout Avenue  
21 Lorenz Avenue  
217 Lorenz Avenue  
13-15 Marion Street  
1712 Oakridge Drive  
164-66 Oxford Avenue

The removal of asbestos at the above listed structures constitutes corresponding violations of MCHAPCR 153.06 (A) pertaining to proper notification procedures.

These violations can be resolved through the signing of the Administrative Settlement Agreement (Agreement) which includes a civil monetary penalty. The draft Agreement will be issued after receipt of this Notice of Violation. Please respond in writing within ten (10) days of receipt of the Agreement document if you wish to pursue a local settlement.

If you wish to schedule a meeting, please contact me, or if you have any questions or comments, or wish to discuss this matter further, please feel free to contact Mr. John Paul at (937) 225-4435.

Sincerely,



Sarah Gostomsky  
Asbestos Coordinator  
Monitoring & Analysis Unit

cc: John Paul, Administrator, RAPCA  
Tom Kalman, Ohio EPA  
Max Fuller, Division Manager, City of Dayton

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Total Pk: **Reuben Peppers**  
**A.R. Environmental Inc.**  
 Sent To: **1706 John Street**  
**Cincinnati, OH 45214**

PS Form 3800, August 2006 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**Reuben Peppers**  
**A.R. Environmental Inc.**  
**1706 John Street**  
**Cincinnati, OH 45214**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) **Reuben Peppers** C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**AUG 09 2010**  
 CINCINNATI, OH

2. Article Number (Transfer from service label) **7009 3410 0001 7190 7973**