





## REGIONAL AIR POLLUTION CONTROL AGENCY

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

117 South Main Street, Dayton, Ohio 45422-1280

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www.rapca.org

August 7, 2008

**Certified Mail**

Mr. Christopher Case, President  
C2 Diversified Services, Inc.  
11109 Guard Lane  
North Bend, Ohio 45052

**Re: Asbestos removal activities at the Hickorydale Elementary School building,  
located at 2101 Hickorydale Drive, Dayton, Ohio**

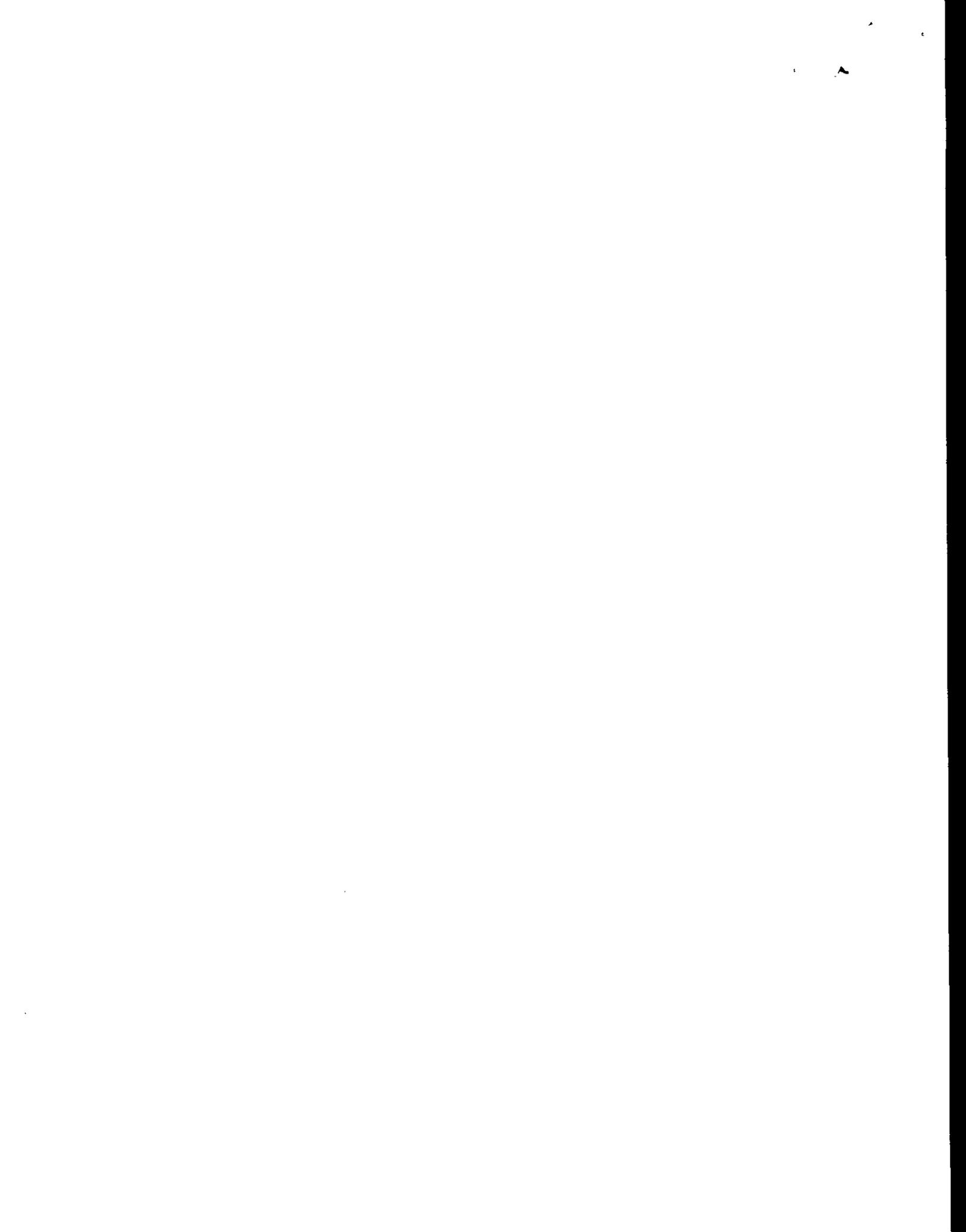
### **NOTICE OF VIOLATION**

Dear Mr. Case:

You are hereby notified that the Regional Air Pollution Control Agency (RAPCA) finds C2 Diversified Services, Inc. (C2), a licensed asbestos abatement contractor, to be in violation of corresponding local, state, and federal regulations as they relate to asbestos emission control for asbestos removal operations at the above-referenced facility. Please note that a similar Notice of Violation has also been issued to TesTech, Inc.

On November 16, 2007, RAPCA received a notification from C2 for the abatement of 6,700 linear feet and 44 square feet of regulated asbestos-containing material (ACM) at the Hickorydale Elementary School building located at 2101 Hickorydale Drive, Dayton, Ohio scheduled for demolition. The asbestos removal work was scheduled to take place from November 27, through December 31, 2007.

On December 11, 2007, a RAPCA representative conducted a routine asbestos inspection of the Hickorydale Elementary School building. Active asbestos abatement activities were taking place on the 1<sup>st</sup> floor at the time of the RAPCA inspection. Asbestos containing chalkboard mastic was being removed, by mechanical chipping, from concrete block walls without a negative pressure containment. During this inspection, the RAPCA representative observed inadequately wet extensively damaged chalkboard mastic in three classrooms of the building. During the December 11, 2007 inspection the RAPCA representative observed the following: classroom #110 - chalkboard mastic being removed by a mechanical chipper without adequately wetting and without proper engineering controls used, no critical barriers were in place and negative pressure was not established; classroom #112 - final cleaning, after chalkboard mastic had been removed by a mechanical chipper without proper engineering controls used, no critical barriers were in place and negative pressure was not established, dry-sweeping with a broom in progress without evidence of water usage (i.e. no water droplets seen, no puddling of water on floors, and no discoloration of ACM chalkboard mastic, no water hose or airless sprayer in classroom); classroom #114 - post final cleaning, chalkboard mastic had been removed by a mechanical chipper without proper engineering controls used, no critical barriers were in place and negative pressure was not established, dry extensively damaged chalkboard mastic debris on the floor and horizontal surfaces without evidence of water usage. TesTech was hired by the building owner, Dayton Public Schools,



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to provide project oversight of the asbestos abatement project. TesTech was on-site during the December 11, 2007 RAPCA inspection monitoring the abatement project. Samples were collected and photographs were taken of all the areas in question.

The RAPCA representative immediately reviewed the areas of concern to the C2 site supervisor and TesTech site representative and requested C2 to cease active ACM removal and to adequately wet and properly package all disturbed ACM. RAPCA also requested C2 not to resume removal work until the matter was discussed with C2 workers and properly addressed to alleviate potential future exposure. C2 and TesTech agreed to the RAPCA requests.

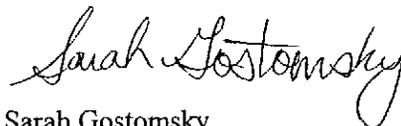
The above RAPCA inspection was conducted for the purpose of determining compliance with corresponding Montgomery County Hazardous Air Pollution Control Regulation 150 (MCHAPCR 150); the Ohio Administrative Code (OAC) Asbestos Emission Control Standards and Procedures specified in the Chapter 3745-20, and the National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 Code of Federal Regulations (CFR) Part 61, Subpart M.

The conditions found during the RAPCA inspection constitute violations of MCHAPCRs 153.07 (D), OAC rules 3745-20-04(A)(6)(a) and 3745-20-04(C), and 40 CFR Section 61.145 (c)(6)(i) pertaining to proper emission control.

These violations can be resolved through the signing of the attached Findings and Orders which include a civil monetary penalty. Please respond in writing within ten (10) days of receipt of this document if you wish to pursue a local settlement. Violations of this nature may carry substantial civil penalties at the federal and/or state level, however RAPCA has the authority to exhibit latitude in a mutually agreeable resolution if this matter can be settled at the local level. If this matter cannot be resolved locally, RAPCA will refer this issue to the Ohio EPA and/or the U.S. EPA for resolution at the state or federal level.

If you have any questions or comments, or wish to discuss this matter further, please feel free to contact Mr. Andrew Roth or me at (937) 225-4435.

Sincerely,



Sarah Gostomsky  
Asbestos Coordinator  
Monitoring and Analysis Unit

/tlm

cc: Ernest Blouch, Dayton Public Schools  
Tom Kalman, Central District Ohio EPA



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PS Form 3800, August 2006 See Reverse for Instructions

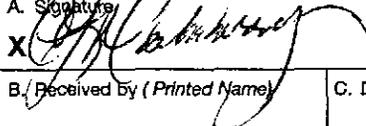
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1. Article Addressed to:  
 Mr. Christopher Case, President  
 C2 Diversified Services, Inc.  
 11109 Guard lane  
 North Bend, OH 45052

2. Article Number  
 (Transfer from service label)

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