Ohio | Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

March 30, 2011

RE: **WARNING LETTER**
DEMOLITION ACTIVITIES at 320 FIFIELD AVENUE, 628 MILL STREET, and 154 NICKEL PLATE ROAD, CONNEAUT, OHIO

CERTIFIED MAIL

Mr. Justin Janson
Janson Trucking and Demo
1540 Mechanicsville Road
Rock Creek, Ohio 44084

Dear Mr. Janson:

On March 22, 2011, a representative from the Ohio EPA Northeast District Office (NEDO), Division of Air Pollution Control (DAPC), inspected the structures associated with the following addresses: 320 Fifield Avenue, 628 Mill Street, and 154 Nickel Plate Road, all located in Conneaut Ohio. Ohio Environmental Protection Agency Notifications of Demolition and Renovation had previously been submitted for these properties, stating that demolition would start on March 17, 2011. The inspections conducted on March 22, 2011, determined that no demolition work had taken place, nor had a revision been submitted to NEDO changing the start date

In view of the above facts, these demolition projects scheduled to be conducted at 320 Fifield Avenue, 628 Mill Street, and 154 Nickel Plate Road, all located in Conneaut Ohio, were subject to compliance with the Clean Air Act and regulations promulgated there under, setting forth a National Emission Standard for Asbestos 40 CFR 61.140, et seq. (NESHAP Asbestos Standard) specifically section 40 CFR 61.145 (b) Notification Requirements.

40 CFR 61.145 (b) (iv) states, "For asbestos stripping or removal work in a demolition or renovation operation...and for a demolition described in (a) (2) of this section, that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator as follows:
(A) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin after the date contained in the notice,
(1) Notify the Administrator of the new start date by telephone as soon as possible before the original start date, and
(2) Provide the Administrator with a written notice of the new start date as soon as possible before, and no later than, the original start date. Delivery of the updated notice by the U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.
These types of operations are also subject to Ohio Administrative Code (OAC) chapter 374520, "Ohio Asbestos Emission Control Rules", specifically OAC 3745-20-03 Standard for Notification prior to Demolition or Renovation.

Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087-1924

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3745-20-03 (A) states, Each owner or operator to whom this rule applies shall:

(d) For asbestos stripping or removal work in any subject demolition or renovation operation (except for any nonscheduled renovation operations, emergency renovation operations and emergency demolition operations) that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the director as follows:
(i) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin after the date contained in the notice,
(a) Notify the Ohio EPA field office of the new start date by telephone as soon as possible before the original start date, and
(b) Postmark or deliver to the Ohio EPA field office a written notice of the new start date as soon as possible before, and no later than, the original start date. Delivery of the amended notice shall be by the United States postal service, commercial delivery service, or hand delivery.

This letter is to inform you that a revised notification, containing a corrected start date, is to be submitted to our office as soon as possible. Any work started or completed without the submittal of a corrected notification will be noted, and may be deemed to be in violation of the NESHAP requirements in 40 CFR 61.145 (b) "notification requirements," and OAC rule 3745-20-02, "Standard for Notification" in the Ohio Asbestos Emission Control Rules.

This Warning Letter in no way waives the right of Ohio EPA or U.S. EPA to pursue additional enforcement action. Further communications may be directed to you regarding this violation or additional violations that may be found.

If you have any questions, or concerns regarding the information being presented to you in this warning letter, please contact myself at (330) 963-1223, or Bob Princic at (330) 963-1230.

Sincerely,

Bob Princic for

Christopher Williams, R.S.
District Representative
Division of Air Pollution Control

CW:bo

pc: Ed Fasko, DAPC, NEDO
Bob Princic, DAPC, NEDO
Tim Fischer, DAPC, NEDO
Tom Buchan, DAPC, CO