



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 8, 2012

CERTIFIED MAIL

Mr. Sean Brennan
Jim Palmer Excavating
12203 East Gypsy Lane Road
Bowling Green, Ohio 43402

Dear Mr. Brennan:

This letter is being written in regards to demolition of the Mt. Zion United Brethren church in Wayne, Ohio. The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control would like to inform you of the requirements of U.S. EPA's National Emission Standard for Hazardous Air Pollutants (NESHAP) standards for asbestos and Ohio EPA's rules mirroring these requirements. Ohio EPA's rules regarding demolition and asbestos are contained in Ohio Administrative Code (OAC) 3745-20. Specifically, OAC rule 3745-20-02 and 3745-20-03 require a thorough inspection for the presence of asbestos and submittal of notification to Ohio EPA prior to proceeding with demolition.

This notice of violation is being issued for the following rule violations:

1. Violation of OAC rule 3745-20-02(A), "Standards for demolition and renovation, facility inspection, and determination of applicability," for failure to have the facility thoroughly inspected by a certified asbestos hazard evaluation specialist, prior to commencement of demolition.
2. Violation of OAC rule 3745-20-03(A), "Standard for notification prior to demolition or renovation," for failure to postmark or deliver notification of the demolition at least 10 days before beginning any demolition operation.

NWDO is requesting the company submit a written response to this letter by May 21, 2012 which includes confirmation of the company's understanding of the asbestos survey and notification requirements.

Please be advised that this letter does not constitute a waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

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If you have any questions, please feel free to contact me at (419) 373-3121.

Sincerely,



Chad Winebrenner
Division of Air Pollution Control

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