



Environmental
Protection Agency

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

CERTIFIED MAIL # 91 7108 2133 3932 1838 3304

May 11, 2012

Mr. Chad Melick
North American Environmental Services LLC.
2848 Banwick Road
Columbus, OH 43232

**Re: Notice of Violation - Incomplete Asbestos Survey
7555 Morse Road, New Albany, Ohio**

Dear Mr. Melick:

On May 1, 2012, an inspector from Ohio EPA, Central District Office, Division of Air Pollution Control (CDO) inspected a residential structure that was to be burned by the Jefferson Township Fire Department for fire training. The inspector found asbestos containing furnace tape on the furnace and furnace duct work in the basement.

1. Finding

On May 1, 2012 an inspector from CDO inspected 5777 Morse Road in New Albany, Ohio. An asbestos survey, supplied by the Jefferson Township Fire Department, indicated that the structure contained no asbestos. To be in compliance with Ohio Administrative Code (OAC) rule 3745-20-04(E), no regulated asbestos containing materials may be present in any structure that fire departments plan to intentionally burn for fire training.

The CDO inspector found asbestos containing furnace tape in the basement. The survey prepared by North American Environmental Services, LLC. indicated that no asbestos was present.

Violation

OAC rule 3745-20-02 (A) requires each regulated structure to be demolished be thoroughly inspected for the presence of asbestos.

"Notwithstanding any other exclusion of this rule, and to determine which requirements of this rule and of rules 3745-20-03 and 3745-20-04 of the Administrative Code apply, each owner or operator of any demolition or renovation operation shall have the affected facility or part of the facility where a demolition or renovation operation will occur thoroughly

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inspected by a certified asbestos hazard evaluation specialist, in accordance with paragraph (C) of rule 3701-34-02 of the Administrative Code prior to the commencement of the demolition or renovation for the presence of asbestos, including category I and category II nonfriable asbestos-containing material."

Failing to perform a thorough survey is considered a violation of OAC rule 3745-20-02(A). Violation of OAC rule 3745-20-02(A) is also considered a violation of Ohio Revised Code (ORC) 3704.05(G) which states:

"No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

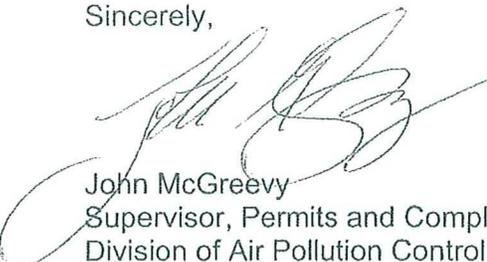
Requested Action

Ohio EPA requests that North American Environmental Services, LLC correctly survey all regulated structures and quantify the amount of asbestos present so that the appropriate abatement activities can occur prior to use of the structure for fire training.

Please be aware that Ohio Environmental Protection Agency has the authority to seek civil penalties as provided in section 3704.06 of the ORC. Violation of Ohio's Asbestos Control Regulations may subject the owner, operator, and removal or renovation, or demolition contractor to civil penalties of up to \$25,000 dollars per day of violation. This letter or information submitted pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by Ohio Environmental Protection Agency at a later date.

If you have any questions regarding this matter, please contact Richard Fowler of my staff at (614) 995-0671.

Sincerely,



John McGreevy
Supervisor, Permits and Compliance
Division of Air Pollution Control
Central District Office

c: John Paulian DAPC/CO
Tom Buchan DAPC/CO
Mark Needham Asbestos Program Administrator ODH/Asbestos Program
Richard Fowler, DAPC/CDO

ec: John McGreevy

**Asbestos Materials Found During 5/1/12 Inspection of
7555 Morse Rd. New Albany Ohio**



Asbestos Furnace Tape (80% Chrysotile) in Basement

