



**Environmental  
Protection Agency**

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

Re: Lucas County  
**Notice of Violation**  
Failure to Submit Notification  
Failure to wait required 10 Days

May 29, 2012

**CERTIFIED MAIL**

Mr. Edward A Moore, Director  
Department of Public Services  
110 North Westwood Avenue  
Toledo, Ohio 43607

Dear Mr. Moore:

This letter is being written with regard to the demolition of the structures located at 908 Kingston Avenue and 835 Freedom Street in Toledo, Ohio. The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution regulates building demolition and asbestos through Ohio Administrative Code (OAC) rule 3745-20. Specifically, OAC Rule 3745-20-02(B)(2) and OAC Rule 3745-20-03(A) require submittal of notification to Ohio EPA 10 days prior to proceeding with any regulated demolition. In regards to the property located at 908 Kingston Avenue a notification was received by Ohio EPA on May 10, 2012, with a scheduled demolition date of May 24, 2012. It was discovered on May 24<sup>th</sup> that the demolition had already taken place on May 8, 2012, which is prior to the original notification being filed with Ohio EPA. For the property located at 835 Freedom Street a notification was received by the Ohio EPA on May 14, 2012, with a scheduled demolition date of May 30, 2012. It was discovered on May 24<sup>th</sup> that this property was also demolished on May 8, 2012, prior to the original notification being received by Ohio EPA.

This Notice of Violation letter is being issued for the following rule violation:

1. 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 city submit a written response to this letter by June 29, 2012, which includes confirmation of the cities understanding of the notification requirements.

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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. If you have any questions, please feel free to call me at (419) 373-3116 or through Email at [tom.sattler@epa.state.oh.us](mailto:tom.sattler@epa.state.oh.us).

Sincerely,



Tom Sattler  
Environmental Supervisor  
Division of Air Pollution Control

//lr

pc: David Pratt, Commissioner  
Chris Zervos, Neighborhoods  
Paul Ringlein, Code Enforcement  
DAPC-NWDO File  
Certified Mail Receipt Number 7009 1410 0001 1834 3402

ec: Mark Glasgow, Legal - CO  
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