



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

November 15, 2007

Certified Mail

Shane Helms, Owner
Helms and Sons' Excavating
1753 Lima Avenue
Findlay, Ohio 45840

RE: **Notice of Violation**
National Guard Armory, 232 East Crawford Street, Findlay Oh
Failure to submit Notification of Demolition.

Dear Mr. Helms:

This letter is being written in regards to demolition of the Old National Guard Armory at 232 East Crawford Street, Findlay Ohio on November 6, 2007. As we discussed, the Ohio Environmental Protection Agency's rules regarding demolition and asbestos are contained in Ohio Administrative Code (OAC) rules 3745-20. Helms and Sons' Excavating is the "Owner or operator" of the facility, as defined in OAC rule 3745-20-01, and is responsible for maintaining compliance with the rules.

OAC rule 3745-20-03 requires a submittal of notification to Ohio EPA prior to proceeding with demolition. Failure to postmark or deliver notification of the demolition at least ten working days before beginning is a violation of OAC rule 3745-20-03(A)(3)(a). Upon learning of these requirements the company ceased demolition immediately. Northwest District Office has received the required notification and no further action with regard to the violation is required. A similar letter is being sent to the property owner. Enclosed is a fact sheet on Asbestos Notification requirements and a Notification form.

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 contact me at (419) 373-3130.

Sincerely,

Chad Delbecq
Division of Air Pollution Control

//b

pc: Tom Sattler, Supervisor, DAPC, NWDO
Don Waltermeyer, Supervisor, DAPC, NWDO
Tom Kalman, DAPC, CO
Lisa Holscher, USEPA
~~Chad Delbecq, DAPC, NWDO~~
7006 3450 0001 0661 2294