



State of Ohio Environmental Protection Agency

Northwest District Office

Dec 26, 08

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

November 24, 2008

CERTIFIED MAIL

Mr. Albert Meininger, Vice President
LVI Environmental Services, Inc.
11480 Enterprise Park Drive
Cincinnati, Ohio 45241

RE: **Notice of Violation**
Incomplete Notification of Demolition and Renovation for North Elementary School and Dawsett Elementary School

Dear Mr. Meininger:

This letter is being written in regards to submittal of the Ohio Environmental Protection Agency Notification of Demolition and Renovation forms for North Elementary School and Dawsett Elementary School, Galion Ohio. The Notifications that were submitted April 18, 2008 and May 5, 2008, respectively, failed to estimate the approximate amount of category I and category II nonfriable asbestos containing material that would not be removed before demolition.

This notice of violation is being issued for the following:

- a. Violation of OAC rule 3745-20-03(A)(4)(g) "Standard for notification prior to demolition or renovation," for failure to estimate the approximate amount of Category I nonfriable asbestos-containing material in the affected part of the facility that will not be removed before demolition.

Enclosed is a copy of OAC rule 3745-20-03 for your review.

NWDO is requesting the company submit a written response to this letter by ~~December 26, 2008~~ which confirms the company's understanding of the notification requirement.

Please be advised that this letter does not constitute a waiver of the Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code 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
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- pc: Tom Sattler, Supervisor, DAPC, NWDO
Don Waltermeyer, Supervisor, DAPC, NWDO
Chad Delbecq, DAPC, NWDO
Tom Kalman, DAPC, CO
Tom Buchan, DAPC, CO
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Follow up file: [redacted]
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