



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

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

February 29, 2008

**CERTIFIED MAIL**

Mr. Earl Reed, Owner  
Upright Wrecking Company  
5555 Conner, Suite 1235  
Detroit, Michigan 48213

**RE: Notice of Violation**  
Demolition of Hotel at 1305 West Main Cross Road, Findlay Ohio 45840  
Failure to complete survey and submit Notification of Demolition

Dear Mr. Reed:

This letter shall serve as follow-up to The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control's investigation of the hotel demolition at 1305 West Main Cross Road in Findlay Ohio on February 4, 2008.

Our investigation found over one hundred sixty square feet of crumbled transite material, a Regulated Asbestos-Containing Material (RACM), in a debris pile in the front lobby of the hotel. The presence of this material indicates the asbestos survey dated August 16, 2007 was not thorough.

NWDO determined the transite originated from panels which were installed on the underside of the hotels front entrance car port. Upright Wrecking Co. has indicated they were not responsible for removing this material or placing it in the front of the hotel.

HazCorp conducted a thorough survey of the building on February 12, 2008. NWDO was present during part of the survey and observed crumbled transite on the ground along the east and west wings, in the rooms and entrance ways to the rooms throughout the hotel.

As owner or operator, Upright Wrecking Co. is responsible for maintaining compliance with Ohio EPA's rules regarding asbestos and demolition. These rules are contained in Ohio Administrative Code (OAC) rules 3745-20. The rules require a facility be thoroughly inspected for the presence of asbestos and that Notification of Demolition be submitted by the owner or operator of a facility prior to beginning demolition. Be advised that the RACM present at this location must be removed, handled and disposed of in accordance with OAC rule 3745-20-04, 3745-20-05 and 3745-20-06. At this time, all of the debris piles created by Upright Wrecking Co. must be assumed to contain asbestos debris and will have to be disposed of as asbestos waste. If survey of the piles shows it not to contain asbestos debris they may be removed as regular building debris.

This NOV is being issued for the following rule violations:

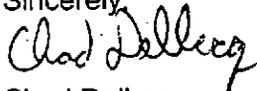
1. Violation of OAC rule 3745-20-02(A), "Standards for demolition and renovation, facility inspection, and determination of applicability," for failure to have the facility thoroughly inspected by a certified asbestos hazard evaluation specialist, prior to commencement of the demolition.
2. Violation 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.

The notification of demolition and renovation received February 5, 2008, signed by Ted Embry, has been rejected for the following reasons: (a) identifying an incorrect owner and address, (b) failure to complete a survey prior to submittal; and (c) not quantifying the asbestos present. A new Notification will need to be submitted prior to asbestos removal or resuming demolition.

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.

If you have any questions, please feel free to contact me at (419) 373-3130.

Sincerely,



Chad Delbecq  
Division of Air Pollution Control

//lr

pc: Tom Sattler, Supervisor, DAPC, NWDO  
Don Waltermeyer, Supervisor, DAPC, NWDO  
Chad Delbecq, DAPC, NWDO  
Tom Kalman, DAPC, CO  
Lisa Holscher, USEPA

~~DAPC - NWDO - Fitz~~

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UPRIGHT WEEKLY  
5355 RENNER, SUITE 1235  
DETROIT, MI 48213

PS Form 3800, August 2006

See Reverse for Instructions

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR. EARL REED, OWNER  
UPRIGHT WEEKLY PROPERTY  
5355 RENNER, SUITE 1235  
DETROIT, MI 48213

**COMPLETE THIS SECTION ON DELIVERY**

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*[Signature]*  Agent  Addressee

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