



State of Ohio Environmental Protection Agency

Northwest District Office

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

January 13, 2009

CERTIFIED MAIL

Mr. Keith Bouquet, President
Southern Illinois Railcar
1803 Ramada Boulevard, Suite B 201
Collinsville, Illinois 62234

Re: **Notice of Violation**
Demolition at 7570 Ottawa Road, Cairo, Ohio
Failure to conduct survey and submit notification of demolition.

Dear Mr. Bouquet:

This letter is being written in regards to demolition of the South Warehouse at 7570 Ottawa Road, Cairo Ohio in July, 2008. The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control met with Mr. Mike Miller, Supervisor, on December 4, 2008, to discuss U.S. EPA's National Emission Standard for Hazardous Air Pollutants (NESHAP) standards for asbestos. Ohio EPA's rules regarding demolition and asbestos are contained in Ohio Administrative Code (OAC) 3745-20. Specifically, OAC rule 3745-20-02 and 3745-20-03 require a thorough inspection for the presence of asbestos and submittal of notification to Ohio EPA prior to proceeding with demolition.

This notice of violation 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 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.

NWDO investigation found that approximately 30 cubic yards of Category II non friable asbestos containing material was removed by an asbestos abatement company prior to demolition beginning and that the building was an unheated wood and steel warehouse.

Upon learning that a notification had not been submitted the company immediately ceased any further demolition related work and have now submitted the required notification. The debris which was on site during our inspection November 20, 2008, was not found to contain suspect asbestos containing material.

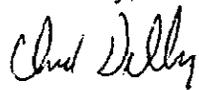
Mr. Keith Bouquet, President
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NWDO is requesting the company submit a written response to this letter by February 6, 2009, which includes confirmation of the company's understanding of the asbestos survey and notification requirements.

Enclosed is a fact sheet concerning these requirements.

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

//lr

Enclosure

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

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Recipient Name: Justin M. Pagan
 Recipient Address: Suite B 201
 Recipient City/State/Zip: 62234

PS Form 3800, August 2006 See Reverse for Instructions

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<p>1. Article Addressed to:</p> <p><u>Mr. Keith Pagan, President</u> <u>Seaside Lakes Resort</u> <u>1803 Banana Blvd</u> <u>Suite B 201</u> <u>Orlando, FL 32834</u></p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
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