



State of Ohio Environmental Protection Agency

Northwest District Office

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

May 28, 2009

CERTIFIED MAIL

Mr. Keith Ludwig, President
Dynasty Deconstruction
1359 Belle Avenue
Lakewood, Ohio 44107

Re: **Notice of Violation**
Demolition at 11514 U.S. Route 250, Milan, Ohio
Failure to conduct survey and submit notification of demolition.

Dear Mr. Ludwig:

This letter is being written in regards to demolition at the Homestead Inn located at 11514 U.S. Route 250, Milan Ohio in November 2008. The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control would like to inform you of the requirements of U.S. EPA's National Emission Standard for Hazardous Air Pollutants (NESHAP) standards for asbestos and Ohio EPA's rules mirroring these requirements. 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.

It is NWDO understanding that an asbestos survey has now been completed; however, a notification for the work completed has not been submitted.

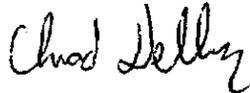
Mr. Keith Ludwig, President
May 28, 2009
Page 2

NWDO is requesting the company submit a written response to this letter by June 12, 2009, which includes confirmation of the company's understanding of the asbestos survey and notification requirements, a completed notification, a copy of the asbestos survey, an estimate of when asbestos removal, if required or demolition work is expected to resume.

Enclosed is a Notification of Demolition and Renovation form and fact sheet which outlines the requirements of the asbestos regulations.

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

/llr

Enclosure

pc: Tom Sattler, Supervisor, DAPC-NWDO
Don Waltermeyer, Supervisor, DAPC-NWDO
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