



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

February 14, 2011

CERTIFIED MAIL

Mr. Timothy Behrman
Behrman Rolloffs, LLC
2532 County Road H
Ottawa, Ohio 43516

Re: **Notice of Violation**
Demolition at 135 Hickory Street, Defiance, Ohio
Failure to wait 10 working days before beginning demolition.

Dear Mr. Reed:

The Ohio Environmental Protection Agency, Northwest District Office (NWDO) received notification January 31, 2010, for asbestos abatement and demolition at SK Hand Tools located at 135 Hickory Street, Defiance Ohio. NWDO learned that demolition of the Annealing area of the project began January 28, 2010.

Ohio EPA's rules regarding demolition and asbestos are contained in Ohio Administrative Code (OAC) 3745-20. Specifically, OAC rule 3745-20-03 requires submittal of a notification to Ohio EPA at least ten working days before beginning any demolition or asbestos abatement.

This notice of violation is being issued for the following rule violation:

1. 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 working days before beginning any demolition operation.

NWDO is requesting Behrman Rolloffs, LLC submit a written response to this letter by March 11, 2010, which includes confirmation of the company's understanding of the asbestos survey and notification requirements.

Enclosed is a fact sheet concerning these requirements and a blank 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.

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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: DAPC-WDO File
Certified Receipt Number 7009 1410 0001

ec: Tom Sattler, Supervisor, DAPC, NWDO
Mark Budge, Manager, DAPC, NWDO
Chad Delbecq, DAPC, NWDO
Tom Kalman, DAPC, CO
William MacDowell, USEPA

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1. Article Addressed to: DAPC 08115 D MR TIMOTHY BEHRMAN BEHRMAN CONSULTING, LLC 202 COUNTY ROAD H CANTON, OH 44705 Designer OH 43516	B. Received by (Printed Name) Tim Behrman C. Date of Delivery 2-15-11 D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
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