



Environmental
Protection Agency

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

August 8, 2011

CERTIFIED MAIL

Mr. Don Holmok
DiGioia-Suburban Excavating
11293 Royalton Road
North Royalton, Ohio 44133

Re: **Notice of Violation**
962 North Main Street, Bowling Green, Ohio
Failure to submit notification of demolition

Dear Mr. Holmok:

This letter is being written in regards to demolition on the structures located at 962 North Main Street, Bowling Green, Ohio on or around July 20, 2011. The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution regulates building demolition and asbestos through Ohio Administrative Code (OAC) rule 3745-20. Specifically, OAC Rule 3745-20-03 requires a submittal of a notification to Ohio EPA prior to proceeding with demolition. It is NWDO's understanding that DiGioia-Suburban Excavating was hired to demolish the structure at 962 North Main Street, Bowling Green, Ohio.

This Notice of Violation letter 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 days before beginning any demolition operation.

The City of Bowling Green submitted the Notification of Demolition and Renovation on June 27, 2011.

A fact sheet entitled "Understanding the Asbestos Notification Requirements for Facility Demolition and Renovation Activities." has been enclosed for your review. NWDO is requesting the company submit written response to this letter by August 19, 2011, which includes confirmation of the company's understanding of the notification 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.

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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) 373-3058.

Sincerely,



Amy Heller
Division of Air Pollution Control

/llr

pc: DAPC-NWDO File
Certified Receipt Number 7009 1410 0001 1840 9719

ec: Tom Sattler, Supervisor, DAPC, NWDO
Mark Budge, Manager, DAPC, NWDO
Jennifer Jolliff, Supervisor, DAPC, NWDO
Amy Heller, DAPC, NWDO
Tom Kalman, DAPC, CO
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