

February 6, 2008

CERTIFIED MAIL

A & S Herrick Contractors
Attn: Arthur Herrick
737 Tampa Avenue
Toledo, Ohio 43615

RE: Notice of Violation

Dear Mr. Herrick:

Enclosed is a Notice of Violation for non-compliance with the Toledo Municipal Code (TMC) Chapter 1787 and the Ohio Administrative Code (OAC) Chapter 3745 regarding Asbestos/ Demolition Standards at the property located at the 500 block of St. Clair Street. in Toledo, Ohio.

Please review this document carefully, as some action is required on your part. Please contact me if you have any questions or need any additional information at (419) 936-3954 or at matt.epperson@toledo.oh.gov.

From Toledo – an International Award Winning City!

Matt Epperson
Senior Environmental Specialist

MAE/mae

cc: Tom Buchan, Ohio Environmental Protection Agency
T. Casey Stephens, Commissioner, Environmental Services
Karen P. Granata, Chief, Air Resources
Matt Fischer, Marshall and Melhorn, LLC, Attorney at Law

Notice of Violation

February 6, 2008

The City of Toledo, Division of Environmental Services hereby serves notice that:

A & S Herrick contractors, LLC
Attn: Arthur Herrcik
737 Tampa Avenue
Toledo, Ohio 43615

Has violated the following environmental laws, orders, rules, or regulations on the indicated dates at the above address.

Date of violation:

February 6, 2008

Description of violation:

City of Toledo, Environmental Services official's observed that an asbestos cleanup had occurred without proper notification or procedures at the property located in the 500 block of St. Clair Street in Toledo, Ohio.

Regulation(s) violated:

TMC 1787.05 (a) (b) & (c)

Standard for Demolition and Renovation.

OAC 3745-20-03

Standards for demolition and renovation, facility inspection, and determination of applicability.

Required Actions

Upon receipt of this notice, you are required to:

1. Abate the violation(s) or provide acceptable remedies.
2. Reply in writing to this Notice of Violation within fourteen (14) calendar days. The reply shall include:
 - a. Detailed timeline of actions taken when renovation/clean up began.
 - b. Description(s) and date(s) of action(s) taken to abate the violation.
 - c. Description(s) and expeditious time schedules of action(s) yet to be taken to abate the violation(s).
 - d. Description(s) of action(s) taken or to be taken to prevent recurrence of the violation(s).

Your written response, and any questions regarding this Notice of Violation, should be directed to Matt Epperson, Division of Environmental Services, 348 S. Erie St., Toledo, Ohio 43604, phone: (419) 936-3954.

This Notice of Violation is not a final action of the Director of Public Utilities. The City of Toledo reserves the right, pursuant to Chapter 1787 of the Toledo Municipal Code and any other applicable local, state, and federal laws or regulations to require further site investigation and abatement to address releases of hazardous wastes, hazardous substances, industrial wastes, or other wastes, pollutants, or contaminants into the environment at the above designated site and to seek civil penalties, reimbursement of oversight costs, response costs, and any other appropriate legal or equitable relief for any violation of law.

