



**Environmental
Protection Agency**

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

Re: Lucas County
Notice of Violation
RTC (Return to Compliance)
Failure to submit notification of an
emergency demolition within regulated
time frame, failure to properly survey
and initiating demolition prior to issuing
government order.

September 6, 2012

CERTIFIED MAIL

Mr. Paul Ringlein, Project Manager
City of Toledo
One Government Center – Suite 1800
Toledo, Ohio 43607

Dear Mr. Ringlein:

This letter shall serve as follow-up to The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control's August 21 inspection of the property located at 710 Vinton Street, Toledo Ohio.

The Ohio EPA, NWDO, Division of Air Pollution Control received on August 20, 2012, the City of Toledo's Notification of Demolition and Renovation for 710 Vinton Street, Toledo Ohio. The City's notification identified the demolition was being ordered as an emergency. In the case of an emergency, the normal 10-working day waiting period can be avoided and demolition can proceed immediately. However, the debris is then required to be maintained adequately wet until an asbestos survey is completed and a determination can be made concerning the presence of Regulated Asbestos Containing Material (RACM). If RACM is found in the demolition debris, the potential exists that all the debris will need to be disposed of as asbestos waste. The debris was removed to an inactive disposal site prior to any determination of the presence of RACM.

OAC rule 3745-20-02(A) requires that a certified asbestos hazard evaluation specialist determine for the presence of asbestos, including category I and category II nonfriable asbestos containing material. Samples were taken, however the debris was taken to an inactive disposal site prior to any determination of the presence of RACM.

OAC rule 3745-20-03(A)(3)(c) requires that the Ohio EPA be notified as early as possible prior to emergency demolition but no later than the following working day.

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OAC rule 3745-20-03(C) also requires a copy of the City's emergency order for demolition be attached to the demolition notification. The City attached their emergency order for this property, however, the order for demolition was not issued until August 20, 2012; 4 days after the building was actually knocked down.

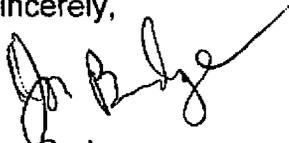
This notice of violation is being issued for the following:

1. Violation of OAC rule 3745-20-02(A) requirement of a certified asbestos hazard evaluation specialist to determine for the presence of asbestos, including category I and category II nonfriable asbestos containing material prior to the commencement of demolition.
2. Violation of OAC rule 3745-20-03(A)(3)(c) "standard for notification prior to demolition or renovation," for failure to postmark or deliver notification of the demolition by the following working day after the emergency occurred.
3. Violation of OAC rule 3745-20-03(C) "standard for notification prior to demolition or renovation," for failure to submit a copy of the emergency demolition order by the following working day after the emergency occurred.

By submitting the Emergency Notification and Emergency Demolition Order, the Ohio EPA, DAPC considers this matter closed.

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) 373-3112.

Sincerely,



Jon Budge
Division of Air Pollution Control

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cc: Tom Sattler, DAPC, NWDO
Mark Budge DAPC, NWDO
William MacDowell, USEPA
Bruce Weinberg, DAPC, CO
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