

Air Pollution Control Division

OhioEPA

APC Contractual Representative
Serving All of Stark County

Canton City Health Department

420 Market Avenue North • Canton, Ohio • 44702-1544
(330) 489-3385 • Fax: (330) 489-3335

Robert E. Pattison, MPA
Health Commissioner

Daniel J. Aleman
APCD Administrator

CERTIFIED MAIL

December 3, 2007

Mr. Nathan R. Glick
Glick Real Estate, LTD
4181 Manchester Ave NW
North Lawrence, OH 44666

Re: Notice of Violation: OAC Rule 3745-20-02 (A)
OAC Rule 3745-20-03 (A) (1)
OAC Rule 3745-20-03 (A) (3)
OAC Rule 3745-20-04 (A) (2) (b)
OAC Rule 3745-20-04 (A) (6) (a)
OAC Rule 3745-20-04 (C)
OAC Rule 3745-20-05 (A)
OAC Rule 3745-20-05 (C)
Violations involving demolition at 12777 Mogadore Ave., NW, Lake
Township, Stark County, Ohio

Dear Mr. Glick:

The Canton City Health Department, Air Pollution Control Division (APCD) has contractual authority to enforce Ohio EPA air pollution regulations in Stark County.

On May 19, 2006, an inspector from the APCD investigated the abandoned greenhouse at 12777 Mogadore Ave., NW owned by Glick Real Estate LTD. A demolition had been started with no notification to this agency. In addition, numerous violations of Ohio EPA asbestos regulations were observed and documented. Samples of structural materials and pipe insulation were taken. Asbestos was found. On that day, I sampled four different materials on the site: 1) cementous panels on the lower walls; 2) pipe insulation, 3) surfacing laying on the floor apparently originally from some wall or ceiling, and 4) a piece of drywall picked up from the floor. Items 1-3 do contain regulated amounts of asbestos.

On May 26, 2006, this investigator had a telephone conversation with Glick Realty and informed them of the necessity of an asbestos inspection and notification prior to demolition. On May 30, 2006, this agency faxed a list of asbestos contractors to Glick Realty at 330-832-6446.

Glick Realty apparently began an inquiry process because this investigator responded to questions about the property from several asbestos abatement contractors. These calls came in to this agency on numerous dates including July 31, Aug 16, August 29, October 11, and October 25, 2006.

On August 30, 2007 this investigator made a second inspection of the property. There was no appreciable change in the appearance of this property since May 2006 except that the asbestos-containing roll off boxes were gone and the back field had become overgrown with weeds.

FINDINGS

Finding #1: Glick Real Estate, LTD is the owner of an abandoned greenhouse at 12777 Mogadore Ave., NW, Lake Township, Stark County, Ohio. Demolition was started on or before May 19, 2006. Glick Real Estate, LTD failed to have the property thoroughly inspected by a certified asbestos hazard evaluation specialist prior to starting or permitting demolition.

Finding #2: Glick Real Estate, LTD did not provide any written notification to this agency prior to starting or permitting demolition.

Finding #3: Glick Real Estate, LTD did not provide written notification to this agency at least ten working days prior to starting or permitting demolition.

Finding #4 Glick Real Estate, LTD caused or permitted asbestos-containing structural panels to be removed in such a manner as to cause them to be broken up into a high number of small pieces.

Finding #5: Glick Real Estate, LTD caused or permitted fragments of the asbestos-containing structural panels to lay exposed on the property without keeping them adequately wet.

Finding #6: Glick Real Estate, LTD, from at least May 19, 2006 to August 30, 2007 caused or permitted asbestos-containing structural materials, both damaged and undamaged, to be exposed to the environment without being repaired, encapsulated, or removed for disposal.

Finding #7: Glick Real Estate, LTD, prior to May 19, 2006 caused or allowed the creation of asbestos-containing waste material without disposal.

Finding #8: Glick Real Estate, LTD, on May 19, 2006 had asbestos-containing waste material sitting in unmarked roll off boxes.

- Violation #1: **OAC Rule 3745-20-02 (A)**. This regulation requires that each owner or operator of any demolition or renovation operation shall have the affected facility or part of the facility where a demolition or renovation operation will occur thoroughly inspected by a certified asbestos hazard evaluation specialist, in accordance with paragraph (C) of rule 3701-34-02 of the Administrative Code prior to the commencement of the demolition or renovation for the presence of asbestos, including category I and category II nonfriable asbestos containing material. **Glick Real Estate, LTD failed to conduct, or have conducted, a thorough inspection by a certified asbestos hazard evaluation specialist prior to commencing abatement activity at this site.**
- Violation #2: **OAC Rule 3745-20-03(A)(1)**: Each owner or operator to whom this rule applies shall: Provide the director of Ohio EPA with written notice of intention to demolish or renovate. **Glick Real Estate, LTD caused or allowed demolition to start without providing this agency with written notice of intention to demolish or renovate.**
- Violation #3: **OAC Rule 3745-20-03(A)(3)**: Each owner or operator to whom this rule applies shall: Postmark or deliver the notice to the Ohio EPA field office having jurisdiction in the county where the demolition or renovation is to occur as follows: (a) At least ten working days before the beginning of any demolition operation, asbestos stripping or removal work, or any other activity including salvage activities and preparations that break up, dislodge or similarly disturb asbestos material if the operation is a demolition or renovation operation subject to this rule. **Glick Real Estate, LTD failed to provide notification at least ten working days prior to the commencement of demolition.**
- Violation #4: **OAC Rule 3745-20-04(A)(2)(b)**. When a facility component covered with, coated with or containing regulated asbestos-containing material is being taken out of the facility as units or in sections:
- (b) Carefully lower the units or sections to the floor and to ground level not dropping, throwing, sliding or otherwise damaging or disturbing the regulated asbestos-containing material. **Glick Real Estate, LTD removed or permitted the removal of asbestos-containing panels in such as way as to damage the material.**
- Violation #5: **OAC Rule 3745-20-04(A)(6)(a)**. For all regulated asbestos-containing material including material that has been removed or stripped:
- (a) Adequately wet the materials and ensure that the materials remain adequately wet until collected and contained or treated in preparation for disposal in accordance with rule 3745-20-05 of the Administrative Code. **Glick Real Estate, LTD failed to keep the asbestos-containing material on the site adequately wet on both May 16, 2006 and on August 30, 2007.**

Violation #6: **OAC Rule 3745-20-04(C)**. Each owner or operator of any demolition or renovation operation, shall ensure all regulated asbestos-containing materials which have been damaged or made friable by demolition, renovation or adjacent stripping operations are repaired, encapsulated, or removed for disposal in accordance with rule 3745-20-05 of the Administrative Code, prior to the removal of emission controls. **Glick Real Estate, LTD failed to repair, encapsulate, or remove damaged asbestos-containing materials. The act of damaging these materials created asbestos-containing waste materials.**

Violation #7: **OAC Rule 3745-20-05(A)** (A) All asbestos-containing waste material shall be deposited as soon as is practical by the waste generator at:

(1) A waste disposal site in Ohio operated in accordance with the provisions of rule 3745-20-06 of the Administrative Code, or

(2) A waste disposal site not in Ohio operated in accordance with the provisions of 40 CFR 61.154, or

(3) A site that converts regulated asbestos-containing material and asbestos-containing waste material into nonasbestos (asbestos-free) material in accordance with the provisions of rule 3745-20-13 of the Administrative Code.

Glick Real Estate, LTD failed to deposit the asbestos-containing waste material as soon as possible into at least one of the above facilities.

Violation #8 **OAC Rule 3745-20-05(C)** (C) Each waste generator shall ensure that asbestos waste containers shall meet the following minimum standards:

(1) All containers of asbestos-containing waste material and wrapped material shall be labeled, using permanent markings with letters of sufficient size and contrast so as to be readily visible and legible, as follows:

--

"DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD
R.Q., ASBESTOS
CLASS 9
NA 2212, III"

For wrapped material or material to be transported off the facility site, label the containers or wrapped material with the name of the waste generator and the location at which the waste was generated.

- (2) Asbestos-containing waste materials shall be sealed in plastic bags having a thickness of at least 0.006 inch (six-mils). A second clean, leak-tight plastic bag having a thickness of at least 0.006 inch (six-mils) shall fully contain the first bag; or
- (3) A combination of a 0.006 inch (six-mils) plastic bag and a leak-tight steel, plastic, or fiber drum, or reinforced disposal box, leak-tight polypropylene woven fabric bag, or similar suitable and durable container. Drums shall be fitted with a matching lid and lock-rims, and boxes shall be banded and sealed with reinforced tape or in accordance with manufacturers recommendations; or
- (4) Facility components removed in units or sections, or materials that will not fit into containers without additional breaking, shall be sealed with at least 0.012 inch (twelve mils) of leak-tight plastic or at least 0.010 inch (ten mils) of leaktight polypropylene woven fabric; or
- (5) Asbestos-containing waste materials, facility components, and contaminated debris may be disposed of using an alternative disposal system or may be processed into nonfriable forms using an alternative emission control and waste treatment system or method, which has received the prior written approval of the director.

On May 19, 2006 this investigator observed and documented, on the Glick Real Estate, LTD property, asbestos-containing waste in roll-off boxes that failed to meet the requirements of this rule.

Requested Actions:

This Agency requests that Glick Real Estate, LTD, submit a "Compliance Plan" and a "Schedule of Implementation" for the inspection and subsequent remediation of any friable asbestos containing material and any damaged Category I or Category II nonfriable asbestos containing materials on the property of the former greenhouse located at 12777 Mogadore NW. This includes the transite-contaminated soil at the rear of the buildings.

The "Compliance Plan" should be submitted to this Agency and should identify the actions that Glick Real Estate, LTD will implement to ensure that the property achieves compliance with the federal asbestos NESHAPS and the Ohio Administrative Code Rule 3745-20. The detailed plan shall include a through inspection by a Certified Asbestos Hazard Evaluation Specialist per OAC rule 3745-20-02. Remediation is to be conducted by a asbestos abatement contractor licensed by the Ohio Department of Health.

This Agency further requests that the "Compliance Plan" and the "Schedule of Implementation" be submitted to the letterhead address within fourteen days of receipt of this letter. The plan may be mailed, sent via private delivery service, or hand-delivered.

Glick Real Estate, LTD
December 3, 2007
Page 6 of 6

Any response by Glick Real Estate, LTD will not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC §3704.06.

Sincerely,



Gregory A. Clark, CHMM, CAHES
Air Pollution Control Engineer

Attachments:

1. Glick Real Estate LTD Implementation Schedule for 12777 Mogadore Road NE
2. Stark County Auditor's and Ohio Secretary of State web page showing ownership of the affected property and information on Glick Real Estate LTD.
3. Inspection Record and photographs May 19, 2006
4. Inspection Record and photographs August 30, 2007
5. Results of asbestos laboratory analyses from sampling of May 19, 2006
6. Information on asbestos inspectors/abatement contractors given to Glick on 05/30/06

pc: Addressee via First Class Mail
Lisa Holscher, USEPA Region V
Tom Kalman, Ohio EPA, DAPC, CO
Patty Porter, Ohio EPA, DAPC, CO
Stephen Feldmann, Ohio EPA, DAPC, CO
Joshua S. Koch, ODH Asbestos Program
Stephen Lacey, Lake Township Zoning Director, 12360 Market Avenue, Hartville, OH 44632

Correspondence

ATTACHMENT 1

GLICK REAL ESTATE LTD

IMPLEMENTATION PLAN FOR ASBESTOS ABATEMENT

FORMER GREENHOUSE

12777 MOGADORE AVE NW

UNIONTOWN OH 44685-7646

**SCHEDULE OF IMPLEMENTATION
FORMER GREENHOUSE
12777 MOGADORE AVE N.W
UNIONTOWN OH 44685-7646**

Milestone	Anticipated Completion Date
1. Inspection. Obtain a thorough inspection of the facility by a certified asbestos hazard evaluation specialist, in accordance with OAC Rule 3745-20-02.	
2. Report of Inspection. Provide this agency with a copy of the Inspection Report.	
3. Notification. Provide this agency with written notification of abatement in accordance with OAC 3745-20-03.	
4. Asbestos Abatement. Remove all Regulated Asbestos Containing Material identified in the inspection. Be aware that Category I and Category II nonfriable asbestos containing materials become regulated when they are damaged. This includes the broken asbestos-containing cementitious material on the buildings and on the ground. This includes the contaminated soil at the rear of the buildings. Removal, transport, and disposal to be in compliance with OAC Rules 3745-20-04, -05, and -06.	
5. Statement of Project Completion. Provide this agency with written documentation from that Milestone 4 is complete. Include such a statement on company letterhead and also include a statement from the abatement contractor that the project has been complete.	

ATTACHMENT 2
OWNER INFORMATION

General Land Sketch Building Taxes Transfer Map

CURRENT PARCEL

Tax Map **Print** **Email** **Property Record Card**

Parcel Number: 2206217 Number of Sheets: 3
 Routing Number: 22 008NW 03 00710 DTE Classification: 119 - Current Agricultural Use Value (CAUV), Grains, Vegetables, Flowers
 Neighborhood ID: 022-02-02-01
 Last Inspected: 10/4/2005
 Building Type Description: 395 - Office General
 Owner: GLICK REAL ESTATE LTD
 Property Address: 12777 MOGADORE AVE NW
 Legal Description: 8 NW 16.83A
 Tax District: 22 - LAKE TWP - UNIONTOWN POLICE DISTRICT - LAKE LSD
 State School District Number: 7606 LAKE LSD

PARCEL HISTORY

ACTION	PARCEL 1	PARCEL 2
LIVE SPLIT FROM	2200497	
RECENT SALE INFORMATION		
Transfer Date:	10/4/2005	
Previous Owner:		
Stated Value:	\$193,440	
Taxable Value at Sale:	\$159,470	
Num Parcels:	1	
Arms Length Sale:	YES	
Instrument Number:	200510040066923	
Work Order Number:	- 14675	

MARKET VALUE SUMMARY

Year	Land Value	Building Value	Total Value
2005	\$45,100	\$410,500	\$455,600

LAND INFORMATION

Code	Description	Acres	Frontage	Depth	Sq Foot	Method	Rate	Adj %	Value
090	TILLABLE	16.65				AC	5,900		\$84,383
070	ROADWAY	.18				AC	0		

Current Market/Override Value (rounded to the nearest hundred dollars): \$84,400

Override Year:
 Override Text:
 Board of Revision Case Number:

PRIMARY BUILDING INFORMATION

Sheet No: 1 2 3

More than one card found. Click on the above Sheet Number links to change card.

Building Type: 395 - Office General
 Year Built: 1960

No. Of Stories:	ONE STORY	Condition:	AVERAGE
SF Living Area:	5400	Quality Grade:	100 %
No. Bedrooms:		Construction Type:	METAL
Quality Basement Finish:	N/A	Heat Type:	GAS
Full Bath:		Central Air:	NO
Half Bath:	2	Basement:	YES
Fireplaces:		Amount Basement Finish:	N/A
Family Room:	NO	Primary Value:	\$176,367

SECONDARY BUILDING INFORMATION

# Bldg Type	Common Walls	# Stories	Constr Type	Frontage	Depth	Sq Ft	Year Built	Grade	Condition	% Adjust.	Reason	Value
1 0190 - Shop	1	ONE STORY	BRICK	60	66	3960	1976	100	AVERAGE			\$25,485
2 0515 - Warehouse, Storage	1	ONE STORY	CONCRETE BLOCK	50	134	6700	1963	100	AVERAGE			\$42,837
3 0515 - Warehouse, Storage	1	ONE STORY	POLE	50	144	7200	1976	100	AVERAGE			\$41,603
4 0157 - Green House		ONE STORY	FRAME	22	212	4664	1968	80	AVERAGE	50		\$3,775
5 0157 - Green House		ONE STORY	FRAME	28	186	5208	1960	80	AVERAGE	50		\$4,570
6 0157 - Green House		ONE STORY	FRAME	32	268	8576	1954	80	AVERAGE	50		\$6,718

Parcel Number: 2206217

Tax Lien Status: 0

Routing Number: 22 008NW 03 00710
 Owner: GLICK REAL ESTATE LTD
 Property Address: 12777 MOGADORE AVE NW
 Tax Mailing Address: 12785 YOUTH ST
 NORTH LAWRENCE OH 44666

Taxable CAUV Value: \$7,970
 Taxable Building Value: \$143,680

2.5 Discount: NO

Homestead Reduction: NO

CAUV Recoupment:

Recoupment Amount:

Board of Revision:

Tax Abatement:

Homeowner Discount:

Vol Demolition:

Homestead Deduction Year: NO

Homestead Land Value:

Homestead Deduction:

Ag Use Value: YES

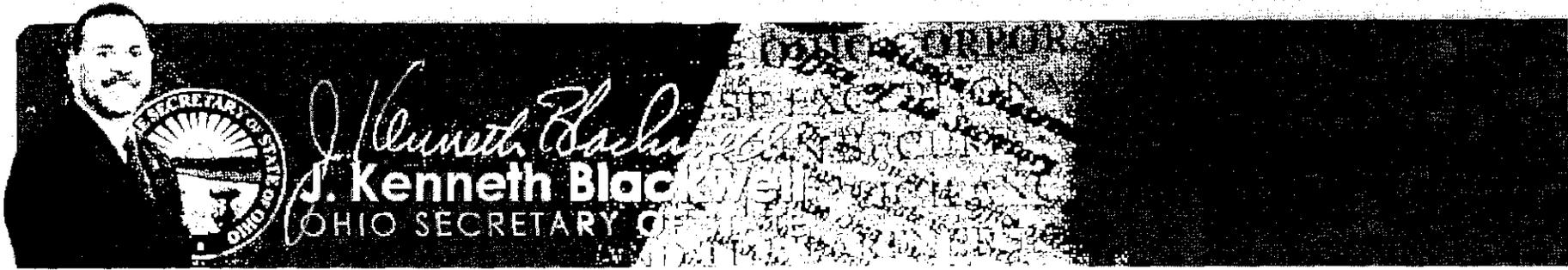
2005 Total Value

Year	35% Land Value	35% Building Value	35% Total Value
2005	\$15,790	\$143,680	\$159,470
	\$0	\$0	\$0
	\$0	\$0	\$0

Click here to check previous years' taxes on the Stark County Treasurer's site.

Address: 12777 MOGADORE AVE NW

Card:

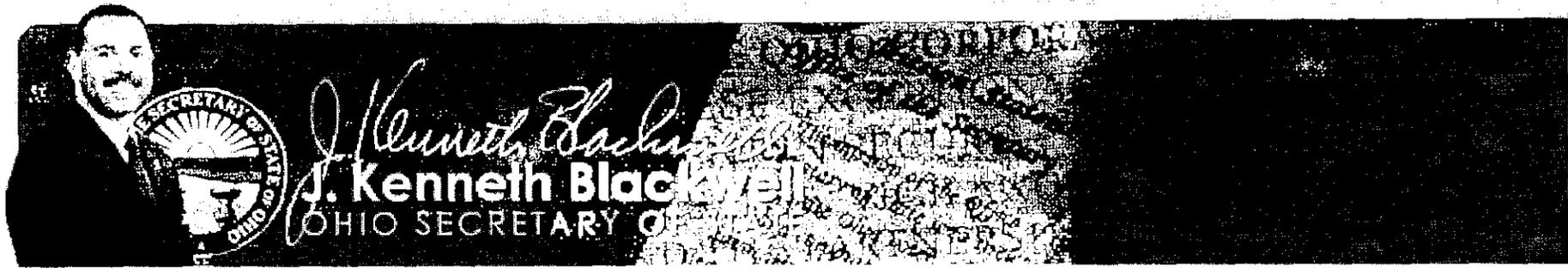


Business Information

Business Name	Charter / Registration Number	Type	Original Filing Date	Status	Expiration Date	Location / County / State	Agent / Contact Info	Business Filing Info	Prior Business Name Info
GLICK REAL ESTATE, LTD	1249747	Domestic Limited Liability Company	Aug 27 2001	Active			Click for Details	Click for Details	Click for Details

Total Row Count in Report- 1
Row(s) 1 - 1

[Back to Menu](#)



Agent Contact Information

Agent Name	Agent Address	City	State	Zip	Effective Date	Contact Status
Nathan R. Glick	4181 Manchester Ave., Nw	North Lawrence	Ohio	44666	27-AUG-01	Active

Total Row Count in Report- 1
Row(s) 1 - 1

[Back to Menu](#)



ATTACHMENT 3

INSPECTION RECORD AND PHOTOGRAPHS

MAY 19, 2006

ASBESTOS DEMOLITION AND RENOVATION FIELD DATA AND INSPECTION CHECKLIST

II. Substantive Compliance Demonstration

Complete Part II for all inspections where it is possible to evaluate substantive compliance (Marking a shaded response indicates possible violations)

1. Has all RACM been removed before demolition, renovation or other activity Yes___ No N/A___

which may disturb asbestos or preclude access to it begins?

2. During Stripping: **No stripping observed.**

a. Is water or wetting agent available? _____ Yes___ No___ N/A

b. What equipment is in use for wetting? _____

c. Is water observed being sprayed during stripping? _____ Yes___ No___ N/A

d. Is there visible dust observed in the vicinity of RACM being removed, dislodged, cut, drilled or otherwise disturbed? Yes___ No___ N/A

e. Examining a cross-section of some removed ACM, does the full depth appear adequately wet? Yes___ No___ N/A

f. Does the material change when it is wet (i.e. changes in color, texture, and weight.) Explain: _____ Yes___ No___ N/A

g. Was material wetting demonstrated or discussed with the operator or supervisor? Yes___ No___ N/A

Whenever possible demonstrate wetting and the physical changes that occur.

h. Do any of the following factors apply:

Director's authorized dry removal or daily temperature log with 3 recorded temperatures per day are required when wetting is suspended. Also operator must remove in units or sections and use local exhaust ventilation and collection with HEPA unit. Material from emergency demolitions and material encased in concrete must be adequately wetted as exposed. Violations only apply when dry materials are present and a no response is made.

Temp below 32° F. at point of stripping: Yes___ No___ N/A

Director authorized dry removal: Yes___ No___ N/A

Material encased in concrete or similar: Yes___ No___ N/A

Building in imminent danger of collapse: Yes___ No___ N/A

Records for above are available onsite: Yes___ No___ N/A

i. Is a person trained in the NESHAP regulation as described at 40 CFR 61.145(c)(10) available during stripping or removal? Yes___ No___ N/A

3. Removal method in use and comments: No removal was occurring, but some had occurred in the past as evidenced by the presence of broken transite on the ground and in at least one of the roll off boxes.

Substantive Compliance Demonstration (cont.)

After stripping, during collection or disposal:

- a. Is stripped ACM awaiting containerization adequately wet through the full depth? **Probably not an issue because the material is transite and not friable.** Yes___ No___ N/A
- b. Is stripped material allowed to drop? Probably. Yes No___ N/A___
How far? About 3 feet.
- c. Is material further damaged by dropping? Yes___ No N/A___
- d. Does dropping result in dust or fine particulate? Yes___ No N/A___
Describe: Material is transite and not friable.

- e. Evaluating waste in bags, is the waste material heavy and adequately wet throughout? Yes___ No___ N/A
- f. Are fiberboard drums lined with plastic? Yes___ No___ N/A
- g. Are there open or ripped containers? Open roll off boxes. Yes No___ N/A___
- h. Stripped waste is transported from a height above ground of: Less than 50 ft.
More than 50 ft.

If less than 50 feet, is waste ACM carefully lowered to ground level not dropping or throwing, sliding or other wise increasing damage to the RACM materials? Yes___ No N/A___

If more than 50 feet, is waste ACM transported in dust-tight chutes or leak-tight containers? Yes___ No___ N/A

5. Waste Handling:

- a. Are there visible emissions to the outside air? Describe: _____ Yes___ No N/A___
- b. Is there any suspect ACM on the ground? _____ Yes No___ N/A___
- c. Describe the waste handling method: Apparently being dropped on ground and/or being placed in open top roll offs.
- d. Describe Waste containers in use: Open top roll off.
- e. Waste containers are marked with:
1. Generator name and location Yes___ No N/A___
 2. Hazard Warning Yes___ No N/A___
 3. DOT Waste Classification Yes___ No N/A___
- f. During load-out and waste disposal, is the Vehicle marked Yes___ No N/A___

with 14"x21" hazard warning signs?

g. Is the waste secured in a manner that prevents any visible emissions, load loss and spills or leakage of liquids. Yes___ No N/A___

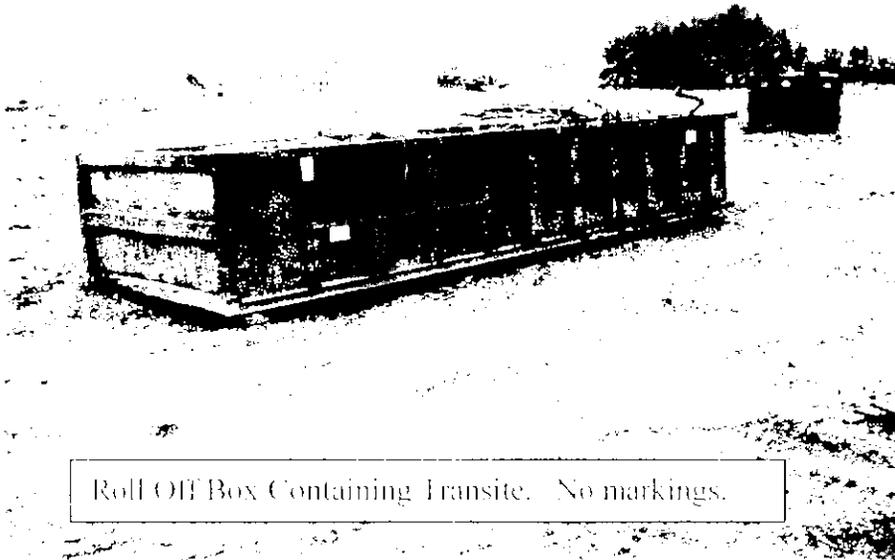
6. General Safety Evaluation

- a. Is work area under containment? ___ Full ___ Critical Barriers ___ Glove Bag None
- b. Clearly marked regulated Area? Yes___ No___ N/A
- c. Estimated size of containment or area: _____
- d. General ventilation machines in use? Number: _____ Yes___ No___ N/A
- e. Is negative pressure apparent with positive air flow from clean room into work area? Yes___ No___ N/A
- f. Are there uncontrolled openings in containment? Yes___ No___ N/A
- g. Respiratory protection in use by operator? _____ Yes___ No___ N/A
Respirator used by inspector? _____ Yes___ No___ N/A
- h. Is air quality being monitored? Yes___ No___ N/A
- i. Decontamination facilities available? Yes___ No___ N/A
- j. Suitable for inspector's use (good air flow and visibly clean)? Yes___ No___ N/A
- k. Decontamination method used by inspector: (check one below)
___ Double Suit ___ Shower ___ HEPA Vac. None ___ Other

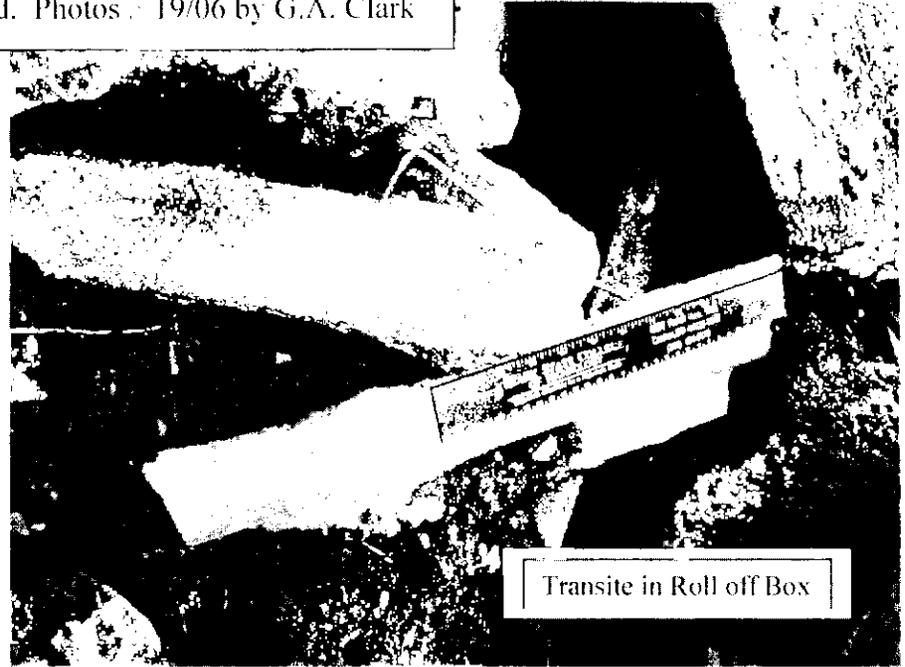
l. Electrical lock-out in use? (check lighting, ventilation, tools) Yes___ No___ N/A

- m. Miscellaneous Hazards:
- High work area temperature: _____ Yes___ No N/A___
- Confined Space? _____ Yes___ No N/A___
- Ignition sources? _____ Yes___ No N/A___
- Trip & Fall hazard? _____ Yes No___ N/A___
- Scaffold rails? _____ Yes___ No N/A___
- Foot hazards? _____ Yes___ No N/A___
- Organic vapors? _____ Yes___ No N/A___
- MSDS available for chemicals on-site? _____ Yes___ No___ N/A

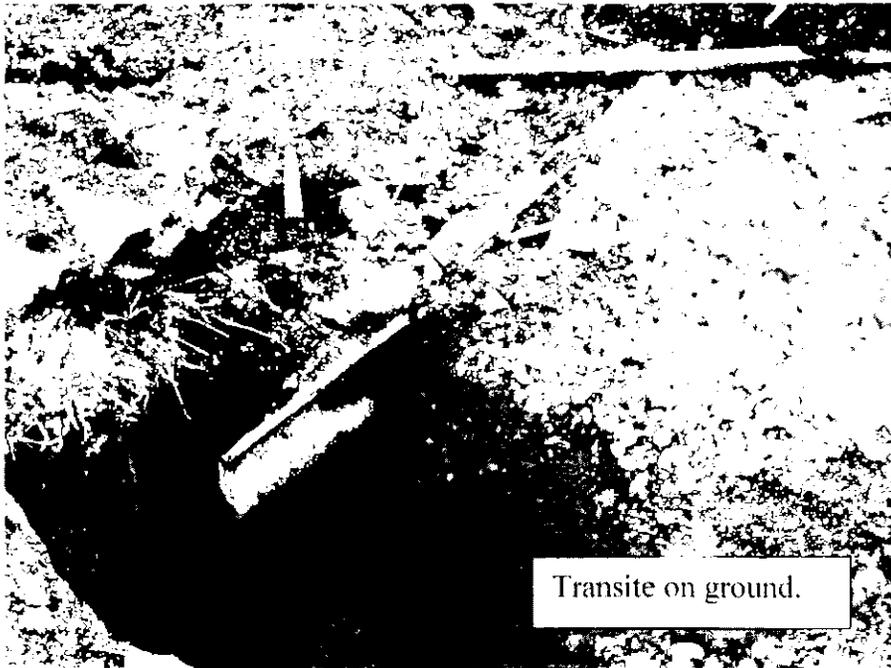
n. Has the inspector been unsafely exposed to hazardous material: (if yes file report) Yes___ No N/A___



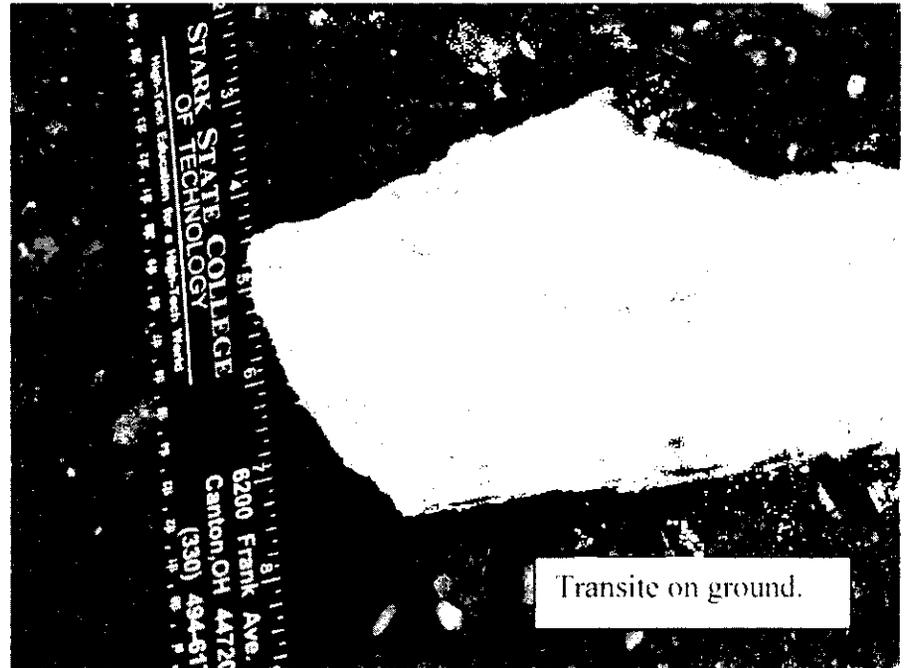
Roll Off Box Containing Transite. No markings.



Transite in Roll off Box

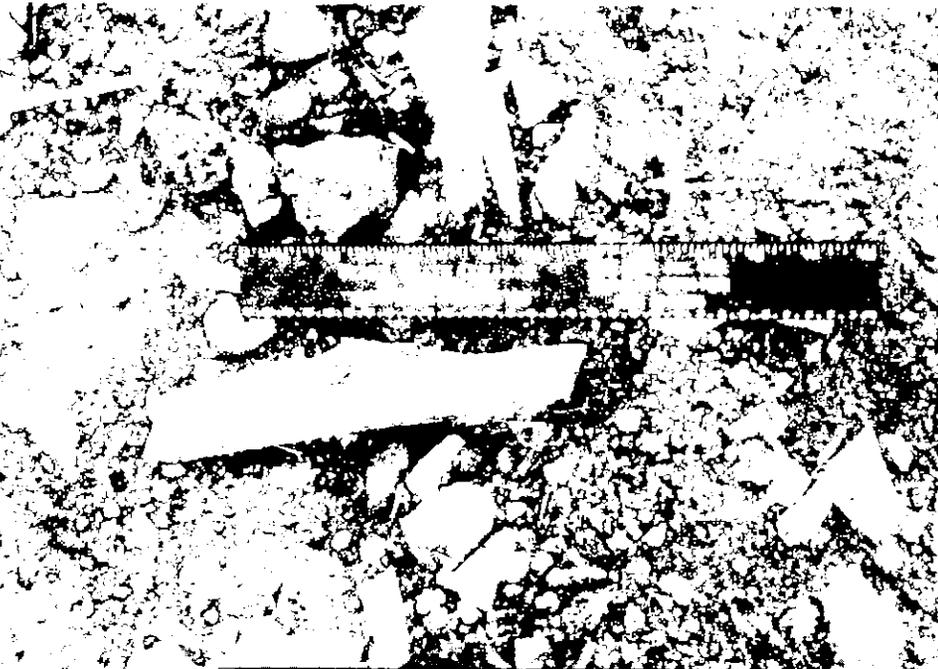
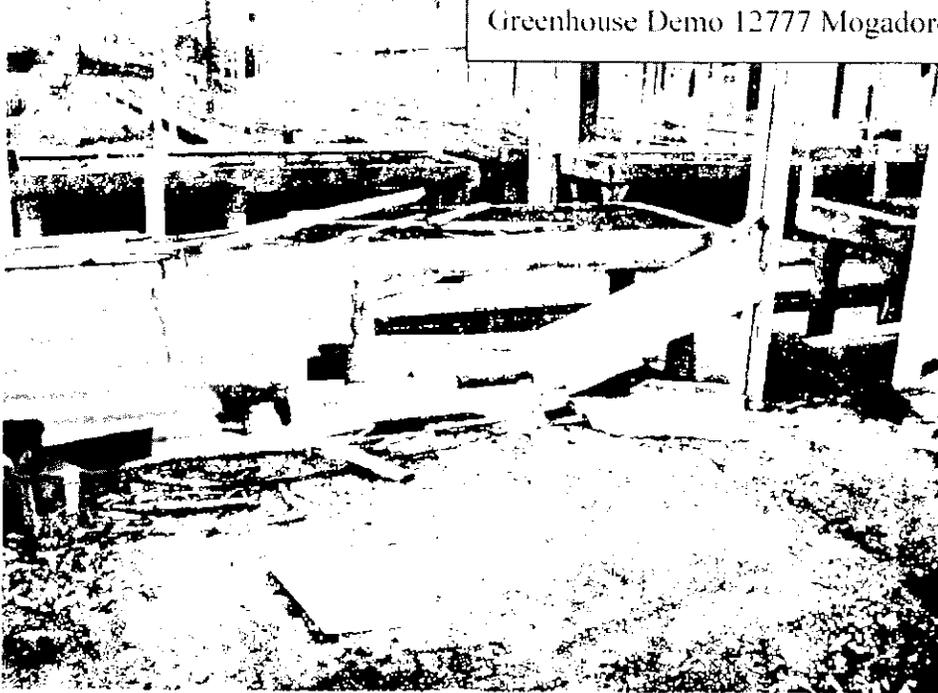


Transite on ground.



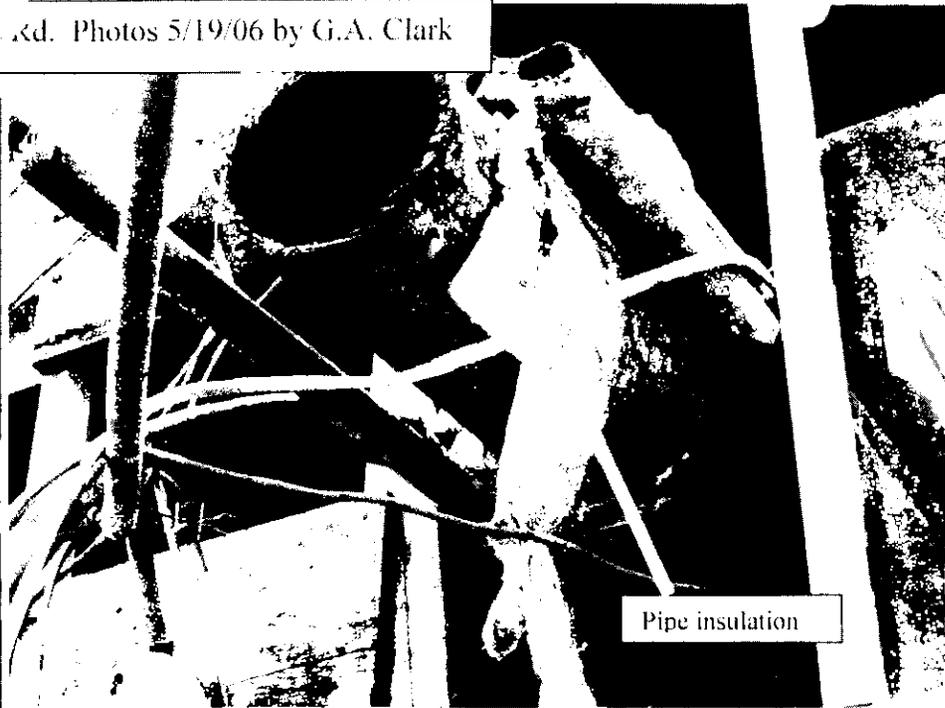
Transite on ground.

Greenhouse Demo 12777 Mogadore Rd. Photos 5/19/06 by G.A. Clark

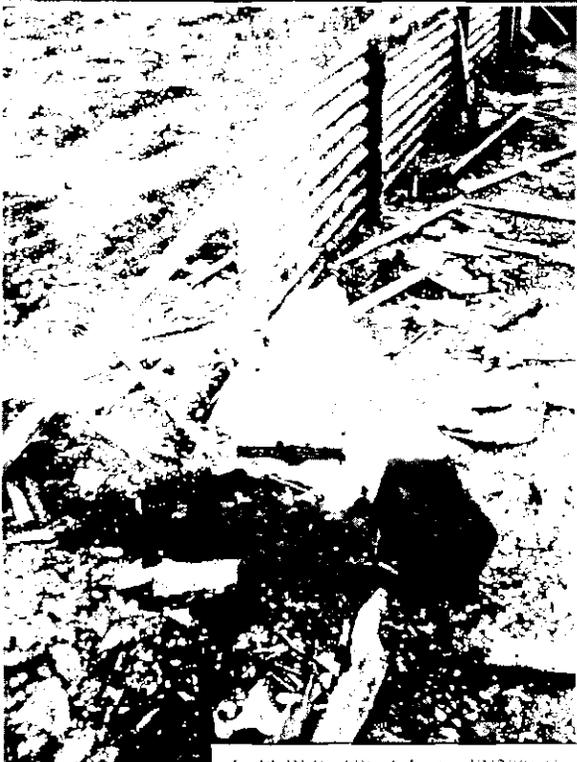




Pipe insulation



Pipe insulation





Backhoe

Undisturbed transite

Greenhouse Demo 12777 Mogadore Rd. Photos 5/19/06 by G.A. Clark

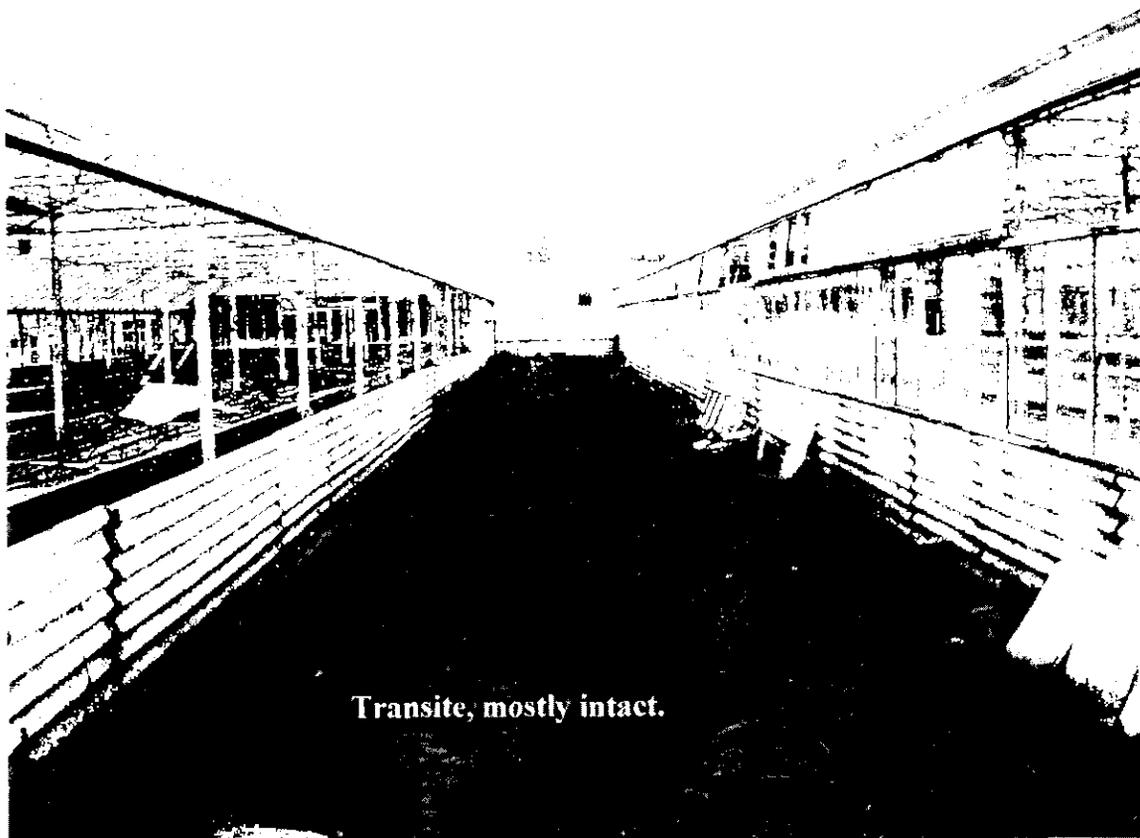


This is a small backhoe, early operation at the time of the demo

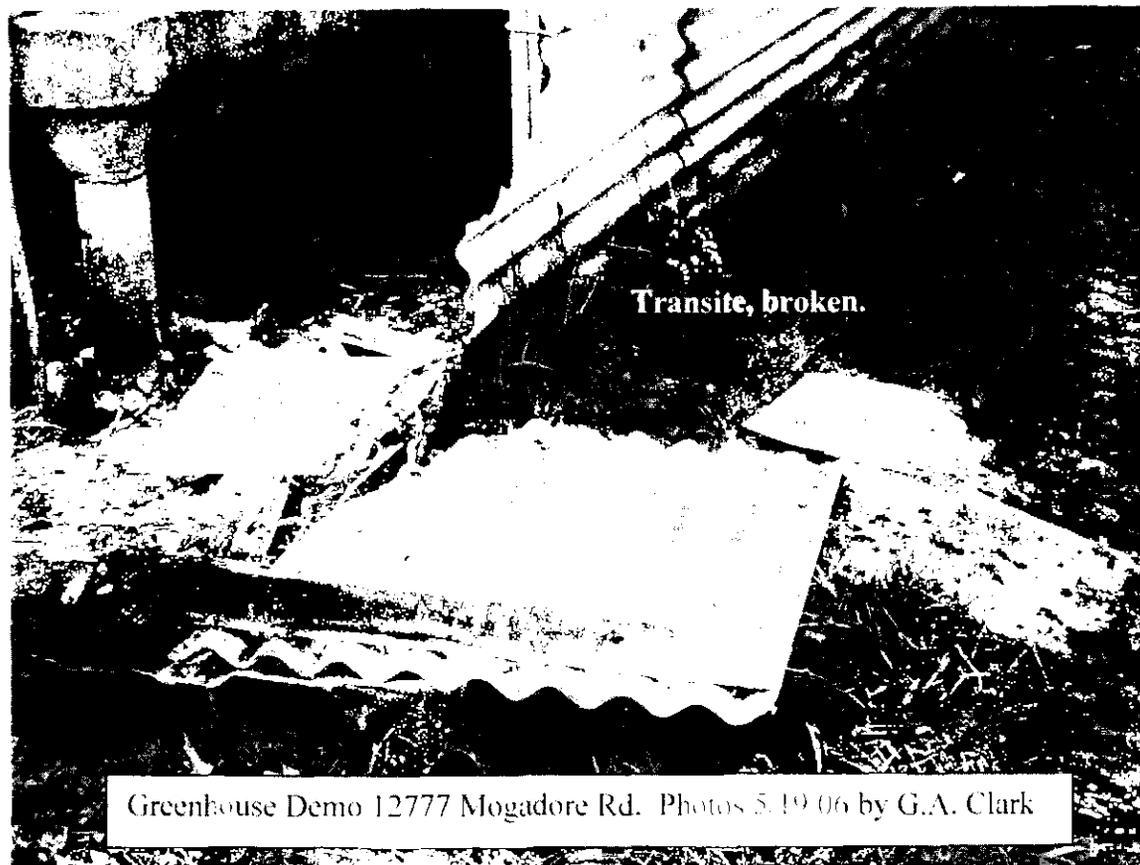


This material is positive for asbestos

STARK STATE COLLEGE OF TECHNOLOGY
6200 Frank Ave. NW
Canton, OH 44705-7299
(330) 499-6170



Transite, mostly intact.



Transite, broken.

Greenhouse Demo 12777 Mogadore Rd. Photos 5.19.06 by G.A. Clark



Greenhouse Demo 12777 Mogadore Rd. Photos 5/19/06 by G.A. Clark
View of rear of property. Transite pieces found on ground and in roll off boxes here.



ATTACHMENT 4

INSPECTION RECORD AND PHOTOGRAPHS

AUGUST 30, 2007

Ohio EPA

ASBESTOS DEMOLITION AND RENOVATION FIELD DATA AND INSPECTION CHECKLIST

I. Preliminary Observations and Information

Complete Part I. for all inspections. Part II. is completed when operations can be observed or evaluated. *Gregory A. Clark 8/31/07*

Site Name: Former greenhouse Inspector: Gregory A. Clark, CAHES ES33518
 Location: 12777 Mogadore Ave NW District: Stark County
Uniontown, OH 44685-7646 Date: August 30, 2007 (Previous inspection May 19, 2006)
 Time: 1330-1530 hrs.

Notification compliance	In Compliance		Substantive compliance	In Compliance	
	Violations Suspected	X		Violations Suspected	X

Operator Name: Glick Real Estate Ltd. I.D. Number _____

Inspection Type: (N) NESHAP (S) State, (L) Local, (A) AHERA

1. Reason for Inspection: Request from Ohio Attorney General's Office Displayed I.D. Yes No _____
 Entry Hindered Yes _____ No

2. Entry Notations (Name and Position of person met onsite, means of access) **Phone:**
No representative from Glick Realty on site. No restrictions against access - inspector walked onto the site.

3. Facility Description (Setup and Conditions Observed): Partially demolished buildings with broken transite on walls and on ground and in roll offs. Drywall and surfacing debris. Damaged TSI. Describe facility and outside indications of demolition, renovation or asbestos removal activity.

4. Suspected Problems and samples/photos taken: Friable asbestos exposed to trespassers and the environment. Take adequate samples and photos of demolition material including plaster, drywall, ceiling tile, thermal insulation, acoustical, friable materials, etc.

5. Potential for nuisance?: Note building occupancy or public access to contamination High. Suspected RACM laying exposed to the weather. No means of preventing access of trespassers.

6. Note Any Notification Discrepancies: No notification given. Quantity, dates, location, operator, waste disposal.

7. Activity Description:
 a. Is there more than one project at this facility: Yes _____ No N/A _____

b. Project Type: Demolition/salvage _____ Renovation _____ Emergency D/R _____

c. Describe the project and current phase: Demo incomplete. _____ Work Inactive
No knowledge of proposed schedule. _____ Work in progress
 _____ Part II. Attached

d. Describe the type of abatement: No abatement taking place. Renovation includes removal, dislodging, cutting, drilling or otherwise disturbing RACM in excess of 260 lf, 160 sf or 35 cf.

8. Type of ACM [Square feet (sf), Linear feet (lf), Cubic feet (cf)] removed, dislodged, cut, drilled or disturbed

~20 lf Pipe lagging	_____ sf Sprayed-on	_____ sf Boiler block	_____ sf HVAC wrap
_____ sf Ceiling tile	_____ sf Troweled on	_____ sf Plaster	~9500 sf Transite
_____ sf Floor tile	_____ sf Roofing	_____ sf Mastic	_____ sf Linoleum
_____ sf Drywall	_____ sf AC-cement	_____ cf Removed	_____

Method of Measurement: _____
 Other: _____

ASBESTOS DEMOLITION AND RENOVATION FIELD DATA AND INSPECTION CHECKLIST

II. Substantive Compliance Demonstration

Complete Part II for all inspections where it is possible to evaluate substantive compliance (Marking a shaded response indicates possible violations)

1. Has all RACM been removed before demolition, renovation or other activity Yes ___ No N/A ___

which may disturb asbestos or preclude access to it begins?

2. During Stripping: **No stripping observed.**

a. Is water or wetting agent available? _____ Yes ___ No ___ N/A

b. What equipment is in use for wetting? _____

c. Is water observed being sprayed during stripping? _____ Yes ___ No ___ N/A

d. Is there visible dust observed in the vicinity of RACM being removed, dislodged, cut, drilled or otherwise disturbed? Yes ___ No ___ N/A

e. Examining a cross-section of some removed ACM, does the full depth appear adequately wet? Yes ___ No ___ N/A

f. Does the material change when it is wet (i.e. changes in color, texture, and weight.) Explain: _____ Yes ___ No ___ N/A

g. Was material wetting demonstrated or discussed with the operator or supervisor? Yes ___ No ___ N/A

Whenever possible demonstrate wetting and the physical changes that occur.

h. Do any of the following factors apply:

Director's authorized dry removal or daily temperature log with 3 recorded temperatures per day are required when wetting is suspended. Also operator must remove in units or sections and use local exhaust ventilation and collection with HEPA unit. Material from emergency demolitions and material encased in concrete must be adequately wetted as exposed. Violations only apply when dry materials are present and a no response is made.

Temp below 32^o F. at point of stripping: Yes ___ No ___ N/A

Director authorized dry removal: Yes ___ No ___ N/A

Material encased in concrete or similar: Yes ___ No ___ N/A

Building in imminent danger of collapse: Yes ___ No ___ N/A

Records for above are available onsite: Yes ___ No ___ N/A

i. Is a person trained in the NESHAP regulation as described at 40 CFR 61.145(c)(10) available during stripping or removal? Yes ___ No ___ N/A

3. Removal method in use and comments: No removal was occurring, but some had occurred in the past as evidenced by the presence of broken transite on the ground and in at least one of the roll off boxes.

Substantive Compliance Demonstration (cont.)

4. After stripping, during collection or disposal:

- a. Is stripped ACM awaiting containerization adequately wet through the full depth? **Probably not an issue because the material is transite and not friable.** Yes___ No___ N/A
- b. Is stripped material allowed to drop? No abatement in progress. How far? _____ Yes___ No___ N/A
- c. Is material further damaged by dropping? Yes___ No N/A___
- d. Does dropping result in dust or fine particulate? Yes___ No N/A___
Describe: Material is transite and not friable unless crushed ...

- e. Evaluating waste in bags, is the waste material heavy and adequately wet throughout? Yes___ No___ N/A
- f. Are fiberboard drums lined with plastic? Yes___ No___ N/A
- g. Are there open or ripped containers? The roll off boxes seen in May 2006 were not present. Yes___ No N/A___
- h. Stripped waste is transported from a height above ground of: < 50 ft
More than 50 ft.
- If less than 50 feet, is waste ACM carefully lowered to ground level not dropping or throwing, sliding or other wise increasing damage to the RACM materials? Yes___ No N/A___
- If more than 50 feet, is waste ACM transported in dust-tight chutes or leak-tight containers? Yes___ No___ N/A

5. Waste Handling:

- a. Are there visible emissions to the outside air? Describe: _____ Yes___ No N/A___
- b. Is there any suspect ACM on the ground? _____ Yes No___ N/A___
- c. Describe the waste handling method: No waste handling in progress.
- d. Describe Waste containers in use: None.
- e. Waste containers are marked with:
1. Generator name and location Yes___ No___ N/A
 2. Hazard Warning Yes___ No___ N/A
 3. DOT Waste Classification Yes___ No___ N/A

- f. During load-out and waste disposal, is the Vehicle marked with 14"x21" hazard warning signs? Yes___ No_ N/A_✓
- g. Is the waste secured in a manner that prevents any visible emissions, load loss and spills or leakage of liquids. Yes___ No_ N/A_✓

6. General Safety Evaluation

- a. Is work area under containment? ___ Full ___ Critical Barriers ___ Glove Bag_✓_ None
- b. Clearly marked regulated Area? Yes___ No_ N/A_✓
- c. Estimated size of containment or area: _____
- d. General ventilation machines in use? Number: _____ Yes___ No_ N/A_✓
- e. Is negative pressure apparent with positive air flow from clean room into work area? Yes___ No_ N/A_✓
- f. Are there uncontrolled openings in containment? Yes___ No___ N/A_✓
- g. Respiratory protection in use by operator? _____ Yes___ No___ N/A_✓
Respirator used by inspector? _____ Yes___ No___ N/A_✓
- h. Is air quality being monitored? Yes___ No___ N/A_✓
- i. Decontamination facilities available? Yes___ No___ N/A_✓
- j. Suitable for inspector's use (good air flow and visibly clean)? Yes___ No___ N/A_✓
- k. Decontamination method used by inspector: (check one below)
___ Double Suit ___ Shower ___ HEPA Vac. _✓_ None ___ Other

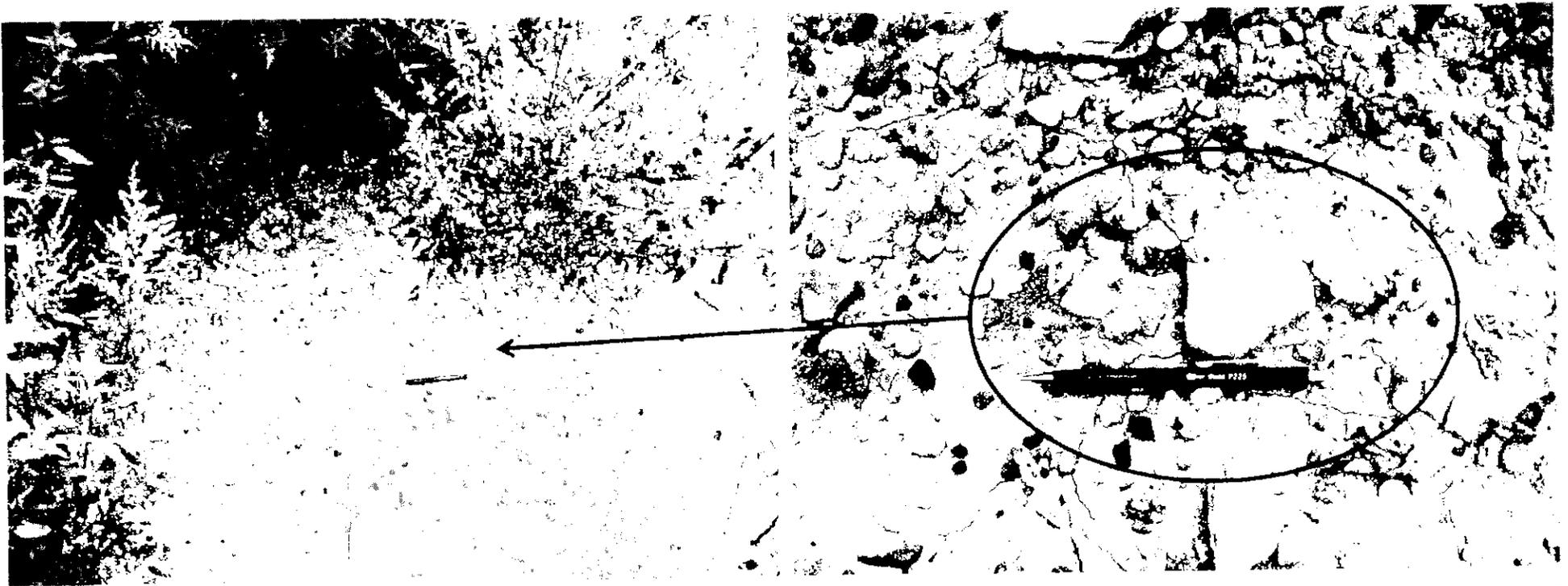
- l. Electrical lock-out in use? (check lighting, ventilation, tools) Yes___ No___ N/A_✓
- m. Miscellaneous Hazards:
- High work area temperature: _____ Yes___ No_✓_ N/A___
- Confined Space? _____ Yes___ No_✓_ N/A___
- Ignition sources? _____ Yes___ No_✓_ N/A___
- Trip & Fall hazard? _____ Yes_✓_ No___ N/A___
- Scaffold rails? _____ Yes___ No_✓_ N/A___
- Foot hazards? _____ Yes_✓_ No_ N/A___
- Organic vapors? _____ Yes___ No_✓_ N/A___
- MSDS available for chemicals on-site? _____ Yes___ No___ N/A_✓
- n. Has the inspector been unsafely exposed to hazardous material: (if yes file report) Yes___ No_✓_ N/A___



Greenhouse, 12777 Mogadore NW. All photos by G.A. Clark Aug. 30, 2007 Page 1 of 4

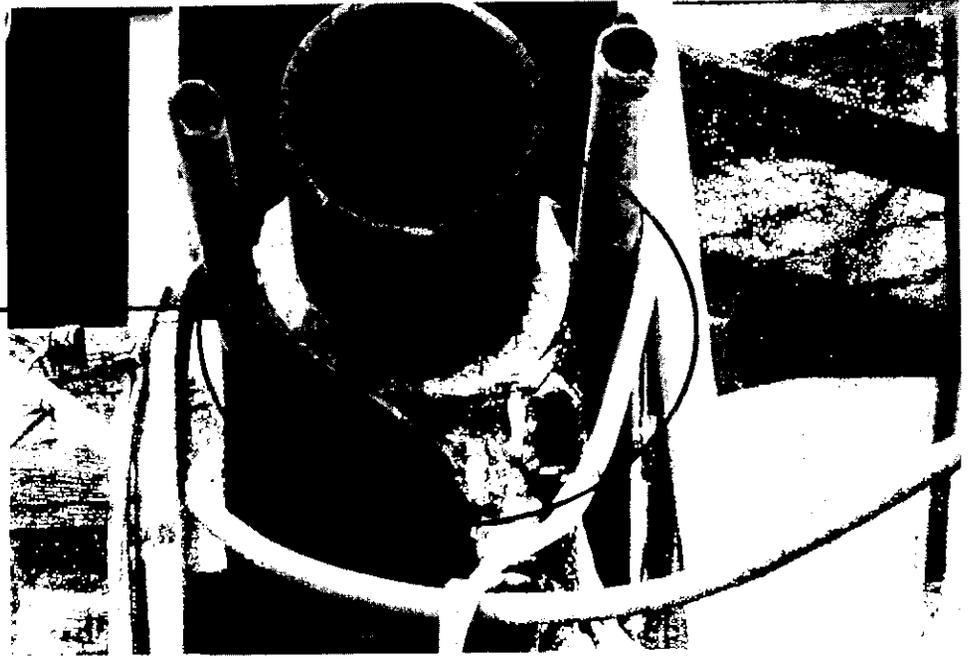


Greenhouse, 12777 Mogadore NW. All photos by G.A. Clark Aug. 30, 2007 Page 2 of 4

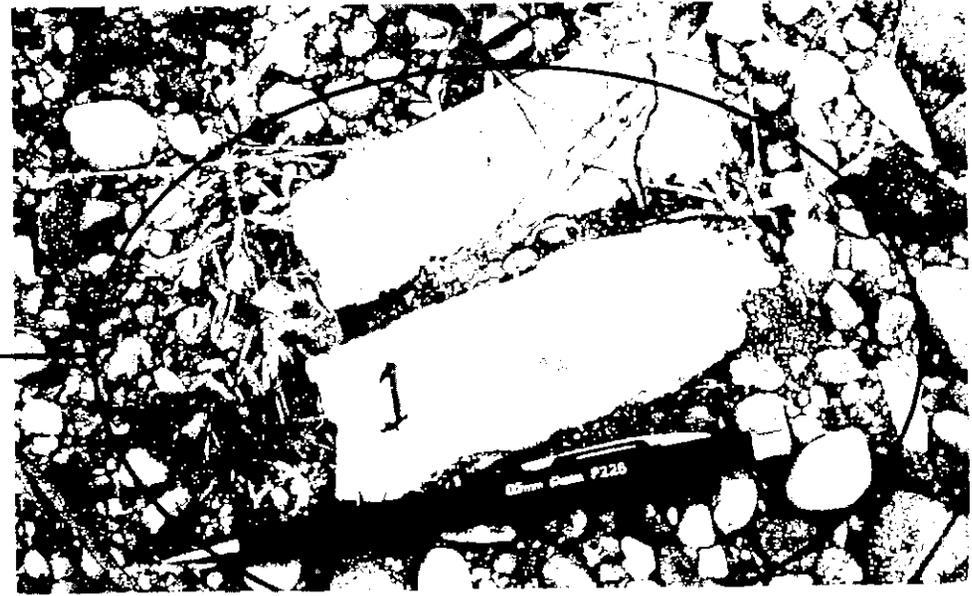
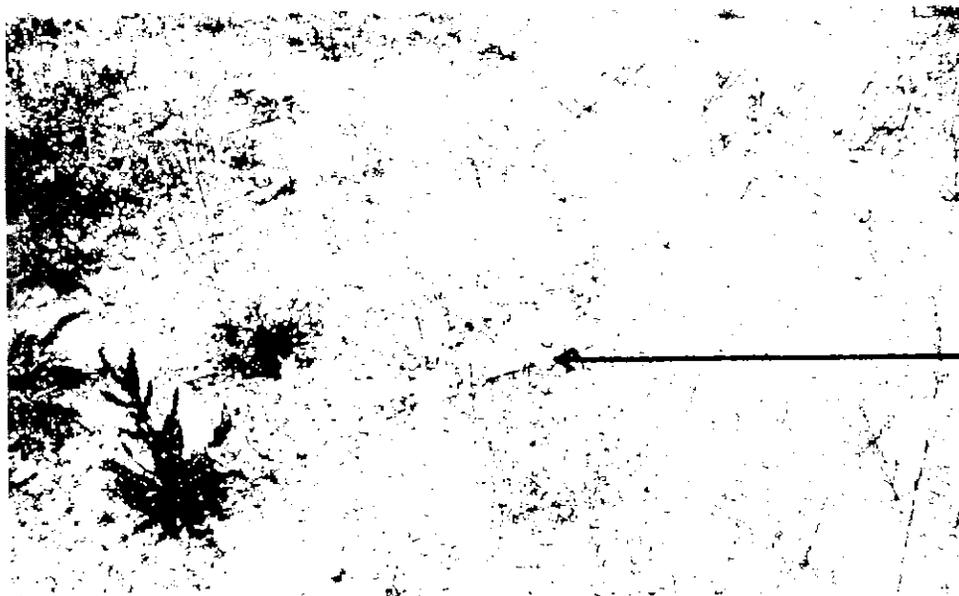


Examples of broken transite in field at rear of property.





Asbestos insulation around pipe.



Additional example of broken transite in field at rear of property.

ATTACHMENT 5

ASBESTOS ANALYSIS INFORMATION

FROM SAMPLING OF MAY 19, 2006

LABORATORY REPORT ASBESTOS BULK ANALYSIS

Client: **Canton City Health - Air Pollution Control
Division**
420 Market Avenue North
Canton , OH 44702-1544

CEI Lab Code: A06-3795
Received: 05-26-06
Analyzed: 05-30-06
Reported: 05-30-06
Analyst: Tianbao Bai

Project: 12777 Mogadore Ave. NW

The following definitions apply to the abbreviations used in the ASBESTOS BULK ANALYSIS REPORT:

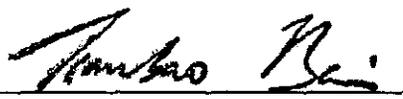
CHRY = Chrysotile	CELL = Cellulose	DEBR = Debris
AMOS = Amosite	FBGL = Fibrous Glass	BIND = Binder
CROC = Crocidolite	ORGN = Organics	SILI = Silicates
TREM = Tremolite	SYNT = Synthetics	GRAV = Gravel
ANTH = Anthophyllite	WOLL = Wollastonite	MAST = Mastic
ACTN = Actinolite	CERWL = Ceramic Wool	PLAS = Plaster
ND = None Detected	NTREM = Non-Asbestiform Tremolite	PERL = Perlite
NANTH = Non-Asbestiform Anthophyllite		RUBR = Rubber

Microscopic microscopy and polarized light microscopy coupled with dispersion staining is the analytical technique used for sample identification. The percentage of each component is visually estimated by volume. These results pertain only to the samples analyzed. The samples were analyzed as submitted by the client and may not be representative of the larger material in question. Unless notified in writing to return samples, Carolina Environmental, Inc. will discard all bulk samples after 30 days.

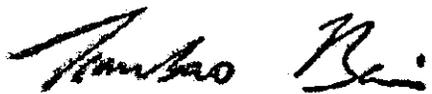
Many vinyl floor tiles have been manufactured using greater than 1% asbestos. Often the asbestos was milled to a fiber size below the detection limit of polarized light microscopy. Therefore, a "None Detected" (ND) reading on vinyl floor tile does not necessarily exclude the presence of asbestos. Transmission electron microscopy provides a more conclusive form of analysis for vinyl floor tiles.

It is certified by the signature below that Carolina Environmental, Inc. is accredited by the National Voluntary Accreditation Program (NVLAP) for the analysis of asbestos in bulk materials. The accredited test method is EPA / 600 / M4-82 / 020 for the analysis of asbestos in building materials. Procedures described in EPA / 600 / R-93 / 116 have been incorporated where applicable. The detection limit for the method is 0.1% (trace amount). Carolina Environmental, Inc.'s NVLAP accreditation number is #101768-0. This report is not to be used to claim product endorsement by NVLAP or any agency of the U. S. Government. This report and its contents are only valid when reproduced in full. Dust and soil analyses for asbestos using PLM are not covered under NVLAP accreditation.

ANALYST


Tianbao Bai

REVIEWED BY


Tianbao Bai, Ph.D.
Laboratory Director

CAROLINA ENVIRONMENTAL, INC.
 107 New Edition Court, Cary, NC 27511
 Phone: 919-481-1413 Fax: 919-481-1442

Project: 12777 Mogadore Ave. NW

Lab Code: A06-3795

CLIENT ID	CEI LAB ID	HOMOGENEITY DESCRIPTION	% ASBESTOS	
12777-TRANSITE	A478971	<u>TRANSITE</u> Homogeneous, Grey, Fibrous, Bound	CHRY	20%
		CHRY 20% BIND 80%		
12777-PIPE INSULATION	A478972	<u>PIPE INSULATION</u> Homogeneous, White, Fibrous, Loosely Bound	CHRY AMOS CROC	2% 5% 5%
		CHRY 2% BIND 88% AMOSI 5% CROCI 5%		
12777-SURFACIN G	A478973	<u>SURFACING MATERIAL</u> Homogeneous, White, Fibrous, Loosely Bound	CHRY	5%
		CHRY 5% BIND 60% PAINT 5% MICA 30%		
12777-DRYWALL	A478974	<u>DRYWALL</u> Homogeneous, Off-white, Fibrous, Loosely Bound	ND	
		BIND 98% CELL 2%		

LABORATORY REPORT ASBESTOS BULK ANALYSIS

Client: **Canton City Health - Air Pollution Control**
Division
420 Market Avenue North
Canton, OH 44702-1544

CEI Lab Code: A06-3795.1

Received: 05-30-06

Analyzed: 06-02-06

Reported: 06-02-06

Analyst: Tianbao Bai

Project: 12777 Mogadore Ave. NW

The following definitions apply to the abbreviations used in the ASBESTOS BULK ANALYSIS REPORT:

CHRY = Chrysotile	CELL = Cellulose	DEBR = Debris
AMOS = Amosite	FBGL = Fibrous Glass	BIND = Binder
CROC = Crocidolite	ORGN = Organics	SILI = Silicates
TREM = Tremolite	SYNT = Synthetics	GRAV = Gravel
ANTH = Anthophyllite	WOLL = Wollastonite	MAST = Mastic
ACTN = Actinolite	CERWL = Ceramic Wool	PLAS = Plaster
ND = None Detected	NTREM = Non-Asbestiform Tremolite	PERL = Perlite
NANTH = Non-Asbestiform Anthophyllite		RUBR = Rubber

Microscopic microscopy and polarized light microscopy coupled with dispersion staining is the analytical technique used for sample identification. The percentage of each component is visually estimated by volume. These results pertain only to the samples analyzed. The samples were analyzed as submitted by the client and may not be representative of the larger material in question. Unless notified in writing to return samples, Carolina Environmental, Inc. will discard all bulk samples after 30 days.

Many vinyl floor tiles have been manufactured using greater than 1% asbestos. Often the asbestos was milled to a fiber size below the detection limit of polarized light microscopy. Therefore, a "None Detected" (ND) reading on vinyl floor tile does not necessarily exclude the presence of asbestos. Transmission electron microscopy provides a more conclusive form of analysis for vinyl floor tiles.

It is certified by the signature below that Carolina Environmental, Inc. is accredited by the National Voluntary Accreditation Program (NVLAP) for the analysis of asbestos in bulk materials. The accredited test method is EPA / 600 / M4-82 / 020 for the analysis of asbestos in building materials. Procedures described in EPA / 600 / R-93 / 116 have been incorporated where applicable. The detection limit for the method is 0.1% (trace amount). Carolina Environmental, Inc.'s NVLAP accreditation number is #101768-0. This report is not to be used to claim product endorsement by NVLAP or any agency of the U. S. Government. This report and its contents are only valid when reproduced in full. Dust and soil analyses for asbestos using PLM are not covered under NVLAP accreditation.

ANALYST


Tianbao Bai

REVIEWED BY


Tianbao Bai, Ph.D.
Laboratory Director

CAROLINA ENVIRONMENTAL, INC.
 107 New Edition Court, Cary, NC 27511
 Phone: 919-481-1413 Fax: 919-481-1442

Project: 12777 Mogadore Ave. NW

Lab Code: A06-3795.1

CLIENT ID	CEI LAB ID	HOMOGENEITY DESCRIPTION	% ASBESTOS
12777-SURFACIN G	A478973 Homogeneous,	<u>POINT COUNT SURFACING MATERIAL</u> White, Fibrous, Loosely Bound	CHRY 3.5%
14 chry points in 400 total points counted, = (14/400) x 100%=3.5%		CHRY 3.5% BIND 56.5 % PAINT 10 % MICA 30 %	

ATTACHMENT 6

ASBESTOS INSPECTION/ABATEMENT INFORMATION

GIVEN TO GLICK REALTY

MAY 30, 3006

Air Pollution Control Division



APC Contractual Representative
Serving All of Stark County

Canton City Health Department

420 Market Avenue North • Canton, Ohio • 44702-1544
(330) 489-3385 • Fax: (330) 489-3335

Robert E. Pattison, MPA
Health Commissioner

Daniel J. Aleman
APED Administrator

May 30, 2006

Glick Real Estate Ltd, Fax 330-832-6446

Re: List of Asbestos Removal Contractors

Dear Ms Glick:

This is a list of some of the asbestos removal contractors that have filed notifications to us on behalf of their clients. This is not a complete list of the contractors available to you nor an endorsement of any of these companies. They are shown in no particular order.

HEPA Environmental Services, Uniontown, OH 330-818-0188

Joseph A. Jeffries Co, Louisville, OH 330-454-6103

Cottrill Wrecking, Massillon 330-832-3820

American Demolition, Canton 330-588-9250

LEPI Enterprises, Zanesville, OH 740-453-2980

Keffler Construction, Canfield, OH 330-533-9803

Wolf Creek Engineering & Contracting, Akron, 330-706-1679

GCS Industrial Services Ltd, Brimfield OH 330-673-6226

Eslich Wrecking Co., Louisville, 330-488-8300

Cardinal Environmental Services, Barberton, OH 330-848-8651

Ohio Technical Services, Columbus, OH 614-372-0829

Gaglione Construction Canfield, OH 330-549-1977

Affiliated Environmental, Sandusky OH 419-627-1976

FYI, the greenhouse site on 12777 Magadore Ave NW does have asbestos present. I sampled four different materials on the site: 1) cementous panels on the lower walls; 2) pipe insulation, 3) surfacing laying on the floor apparently originally from some wall or ceiling, and 4) a piece of drywall picked up from the floor. Items 1-3 do contain regulated amounts of asbestos.

Should you have any questions concerning this letter or the open burning regulations, please contact me at (330) 489-3385.

Sincerely,

Gregory A. Clark, CHMM, CAHES
Air Pollution Control Engineer

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <ul style="list-style-type: none"> Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>Kyle Sheerer</i></p> <p>B. Received by (Printed Name) <i>Kyle Sheerer</i> C. Date of Delivery <i>12/4/07</i></p>
<p>1. Article Addressed to:</p> <p>GLICK REAL ESTATE, LTD 4181 MANCHESTER AVE NW NORTH LAWRENCE OH 44666</p>	<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p><i>12785 YOUTH ST NORTH LAWRENCE, OH 44666</i></p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p><u>7005 1160 0000 8900 0160</u></p>

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

<table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td>2.65</td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td>2.15</td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$ <i>7.61</i></td> </tr> </table>	Postage	\$	Certified Fee	2.65	Return Receipt Fee (Endorsement Required)	2.15	Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$ <i>7.61</i>	<p>Postmark Here</p>
Postage	\$										
Certified Fee	2.65										
Return Receipt Fee (Endorsement Required)	2.15										
Restricted Delivery Fee (Endorsement Required)											
Total Postage & Fees	\$ <i>7.61</i>										

Sent To	
GLICK REAL ESTATE, LTD	
Street, Apt. No., or PO Box No.	4181 MANCHESTER AVE NW
City, State, ZIP+4	NORTH LAWRENCE OH 44666

PS Form 3800, June 2002 See Reverse for Instructions

7005 1160 0000 8900 0160