

**MAHONING-TRUMBULL
AIR POLLUTION CONTROL AGENCY**

OAKHILL RENAISSANCE PLACE
2nd Floor - Room 25
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Phone (330) 743-3333 ext 282
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January 25, 2007

Peter D'Agostino
RTM, Inc.
5280 W. 161st Street
Brook Park Ohio, 44142

CERTIFIED: 7002 2410 0004 2976 5782

Dear Mr. D'Agostino:

This letter concerns the Ohio EPA Notification of Demolition and Renovation received in our office on January 5, 2007 for the asbestos removal and subsequent demolition at the former Hubbard Police Department, 33 West Liberty Street, Hubbard, 44425.

First, the notification for this project was not received until after the asbestos removal was complete, in violation of the 10 working day notification requirement found in 40 CFR 61.145 (b) (3) (i) and OAC 3745-20-03 (A) (3) (a).

Additionally, 40 CFR 61.145 (b) (4) (i-xvii) and OAC 3745-20-03 (4) (a-p) require that notifications must include certain information. Failure to submit this information may result in violations of the notification requirements in the NESHAP and Ohio Administrative Code. There are several omissions on this notification that must be corrected.

1. Item II – No County provided.
2. The amount of RACM to be removed is to appear in Item VII. Attachments may be useful, but the amount of RACM to be removed and the non-friable not to be removed must be quantified in Item VII.
3. Item X - Insufficient description of planned work.
4. Item XI – Compliant work practices not described

Please submit a revised, signed notification that addresses the deficiencies shown above and submit it to my attention within three days after receiving this letter.

Peter D'Agostino
RTM, Inc.
January 25, 2007

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Be advised that this letter does not constitute a waiver of MTAPCA's ability to pursue this or any other violations or to seek civil penalties as provided in Revised Code Chapter 3704. A first time violation of the notification requirement can result in a fine of \$10,000. For substantive violations, depending on the amount of material involved, first time work practice violations can result in fines of \$5,000 to \$15,000 per day.

If you have any questions regarding this letter, please contact me at (330) 743-3333 extension 278.

Yours very truly



William Slanina
Inspector