



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

December 4, 2012

RE: **NOTICE OF VIOLATION**  
**DEMOLITION OF A STRUCTURE**  
**LOCATED AT 1720 STARK**  
**AVE. SW, CANTON, OH**

**CERTIFIED MAIL**

Angela Cavanaugh  
City of Canton Building Dept.  
424 Market Ave. North, 3<sup>rd</sup> Floor  
Canton, Ohio 44702-1544

Dear Ms. Cavanaugh:

This office was informed by a local contractor that the city authorized demolition of 1720 Stark Avenue SW structure, which was alleged to have occurred sometime between October 27-28, 2012.

Please be advised of OAC Rule 3745-20-03 (A) (3) (a) "Standard for Notification Prior to Demolition or Renovation" requires that a completed demolition notification be submitted at least ten (10) working days before the beginning of any demolition operation; or as early as possible before, but not later than, the following working day if the operation is an emergency demolition, or if the operation is an emergency renovation. Based on the alleged demo date of October 27-28, 2012 Ohio EPA should have been notified no later than October 29, 2012.

We have concerns that in some circumstances, Canton's definition of an "emergency demolition" is not consistent with the OAC Rule 3745-20-01 definition of an emergency demolition, which states " any demolition operation conducted under a written order by a state or local government agency because a facility is structurally unsound and in danger of imminent collapse." Both conditions must be met to meet the standard.

We have received the copies of correspondence you sent from the Canton FD and your office declaring the Canton urban demo structures to be a threat to human health and requiring emergency demolition. You mentioned in your e-mail regarding the 1720 Stark Avenue SW structure that the structure had been the scene of set fires twice previously. Your e-mail correspondence also listed CRS General Contracting (CRS) as the city-authorized demolition contractor for this structure.

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We are requesting that a completed notification be submitted as soon as possible for this structure, with information regarding the name and address of the demolition contractor, the name and address of the transporter and the name of the landfill to which the debris was transported. **We are also requesting an updated list of the Canton structures that are scheduled for abatement/demolition through the Canton urban demolition program for our records.**

In view of the above facts, the demolition project conducted at 1720 Stark Avenue SW was subject to compliance with the Clean Air Act and regulations promulgated there under, setting forth a National Emission Standard for Asbestos 40 CFR 61.140, et seq. (NESHAP Asbestos Standard). These types of operations are also subject to Ohio Administrative Code (OAC) chapter 3745-20, "Ohio Asbestos Emission Control Rule."

In accordance with the above-stated delegation of authority, you are hereby notified that the demolition conducted at 1720 Stark Avenue SW by CRS General Contracting, was in violation of the NESHAP requirements in 40 CFR 61.145(a) and (b), "applicability" and "notification requirements" in the "Standard for Demolition and Renovation." This was also a violation of OAC rule 3745-20-03, "Standard for Notification" in the Ohio Asbestos Emission Control Rules.

Finally, pursuant to Section 112 (KK), the authority to implement and enforce the NESHAP has been delegated to the State of Ohio Environmental Protection Agency's Division of Air Pollution Control. Parallel enforcement authority is retained by the administrator of U.S. EPA for any violations for which Ohio is unable to initiate a required enforcement action.

Within fourteen (14) days of receipt of this letter, you are requested to submit the following information. This request for information is made pursuant to OAC Rule 3745-15-03.

- 1) The name, address, phone number and contact person of all contractors involved in the demolition project and an explanation of each company's involvement.
- 2) The name, address, phone number and contact person of all contractors involved in the disposal of both construction demolition and debris (CD&D) waste along with RACM from the site of the demolition project and an explanation of the involvement.
- 3) The location of the site where both construction demolition and debris (CD&D) waste along with RACM from the demolition was disposed including a copy of any manifests or receipts.
- 4) A copy of any asbestos survey reports of the building.
- 5) The actual beginning and ending dates of the abatement and demolition projects.
- 6) Copy of an asbestos notification form.

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Failure to respond to this request in the requested time frame can result in a referral to the Central Office of Ohio EPA for the appropriate enforcement action. The submission of the requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date. Further communications may be directed to you regarding this violation or additional violations that may be found.

If you have any questions, please contact me at (330) 963-1223 or Bob Princic at (330) 963-1230.

Sincerely,



Christopher Williams, R.S.  
District Representative  
Division of Air Pollution Control

CW:bo

pc: Bruce Weinberg, DAPC, CO  
Bob Princic, DAPC, NEDO  
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Tom Buchan, DAPC, CO  
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