

September 26, 2012

CERTIFIED MAIL

Touchdown Environmental Services, LLC
Attn: Mr. Louis Cunningham
3265 East 139th Street
Cleveland, OH 44120

RE: Warning Letter – Brand Whitlock

Dear Mr. Cunningham:

On September 19, 2012, I received a voice mail from you regarding the revision of a previous notification (TD1276) in which you stated that 32 fittings from boilers were to be removed that day. The updated notification was faxed to our office that morning. During an inspection of the Brand Whitlock project that same day, it was discovered that, in fact, the actual removal was 2 days previous on Monday, September 17, 2012 and it was determined that renovation activity occurred without proper notification. We also spoke regarding the clearance letter that was to be forwarded to me, which I have not received. It is the intention of the Division of Environmental Services to ensure that notifications for demolition/renovation are submitted in accordance with any applicable federal, state and local environmental regulations.

This **warning letter** is to remind you to follow the proper procedures when planning to do a demolition or renovation, as outlines in NESHAP 40 CFR Part 61.145 (b)(3)(A, B, C) "Notification Requirements". Please e-mail or fax me the clearance for the 32 fittings. My fax number is 419-936-3959 or lynn.pedro@toledo.oh.gov. I also would like copies of all manifests of asbestos material taken to the appropriate landfills to verify the amount of underground pipe that was removed. Failure to do so may result in a possible Notice of Violation.

If Toledo Environmental Services becomes aware of any other facilities that are being demolished or renovated by the above owner without proper notification then further enforcement actions may be taken including the possibility of civil penalties being assessed. If you have any questions, please feel free to contact me at (419) 936-3767.

Sincerely,

Lynn M Pedro, Asbestos Coordinator
Toledo Environmental Services

cc: Phil King, US EPA, Region 5
Tom Buchan, Ohio EPA, Asbestos
John Paulian, Ohio EPA, Enforcement
Karen Granata, Air Chief, Environmental Services
Timothy D. Murphy, Commissioner, Environmental Services
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