



**Environmental
Protection Agency**

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

Re: Ottawa County
Notice of Violation
Failures to maintain friable material
adequately wet and remove asbestos-
containing waste

October 9, 2012

CERTIFIED MAIL

Mr. Nelson Reau
13456 W State Route 2
Oak Harbor, Ohio 43449

Dear Mr. Reau:

This letter is being written in regards to the demolition which occurred at the 13456 West State Route 2, Oak Harbor, Ohio, site on or about July 8, 2012. After an initial inspection by the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control (DAPC), a Notice of Violation (NOV) was sent on August 3, 2012 to Mr. Nelson Reau for failure to perform an asbestos survey and submit a demolition notification.

An asbestos survey was subsequently completed by DMD Environmental, Inc. on August 28, 2012, and the official report containing the results was sent to Ohio EPA on August 31, 2012. From the results, Ohio EPA concluded that all of the debris piles located behind the cottages contained friable asbestos. Floor tile and transite siding were found to be sufficiently crushed and broken to render them Regulated Asbestos Containing Material (RACM). These debris piles will need to be transported off site and disposed of at an asbestos landfill in accordance with OAC rule 3745-20-05. In addition, the debris must now be maintained "adequately wet" at all times. Adequately wet is defined in OAC rule 3745-20-01 and means "sufficiently mix or penetrate with liquid to prevent the release of particulates". This material shall be maintained adequately wet until such time that it is removed off site and disposed of properly.

Ohio EPA is requesting that Mr. Nelson Reau please submit a response to this letter by October 26, 2012, with a timeline detailing when RACM will be remediated from the property. In addition, a demolition notification will need to be submitted 10 working days before demolition may continue on site.

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Please be advised that this letter does not constitute a waiver of the Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code 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 Chad Winebrenner at (419) 373-3121.

Sincerely,



Chad Winebrenner
Division of Air Pollution Control

/lr

Certified Mail Receipt Number 7009 1410 0001 1834 5000

ec: Tom Sattler, DAPC, NWDO
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