



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

RE: **Richland County**  
**191 Atcheson Avenue, Mansfield, Ohio**  
**44903 asbestos abatement**  
**Notice of Violation**

January 07, 2013

CERTIFIED MAIL

Ms. Landa Page  
Page Excavating, Inc.  
2398 Applegate Road  
Lucas, Ohio 44843

Dear Ms. Page:

This letter shall serve as follow-up to The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control's December 29, 2012 inspection of the facility located at 191 Atcheson Avenue, Mansfield, OH. The notification that was submitted for this abatement activity states that wet methods and full containment with negative air pressure would be implemented for the plaster removal. During this inspection it was discovered that dry removal of friable regulated asbestos containing material (RACM) was being performed without proper containment or negative air. In addition evidence of required training was not available during the inspection.

Ohio Administrative Code (OAC) 3745-20-03 (D)(2) requires the owner or operator to inform the appropriate Ohio EPA field office of changes in the methods to be used for asbestos removal or disposal. Ohio EPA's rules regarding asbestos emission control specifically OACs 3745-20-04 (A)(3) and (A)(6) require that regulated asbestos containing materials (RACM) be adequately wet during removal and remain adequately wet until collected for disposal. According to OAC 3745-20-04 (B)(4) evidence that required training has been completed shall be posted and available for inspection by the director or director's representative at the demolition or renovation site.

This notice of violation is being issued for the following:

1. Violation of OAC rule 3745-20-03(D)(2) for deviating from the described work practices provided in the notification of demolition.
2. Violation of OAC rule 3745-20-04(A)(3) for removing RACM (broken up plaster) without adequately wetting.
3. Violation of OAC rule 3745-20-04(A)(4) for failing to maintain RACM adequately wet prior to disposal.
4. Violation of OAC rule 3745-20-04 (B)(4) for not posting and/or having evidence of required training available at the site for inspection.

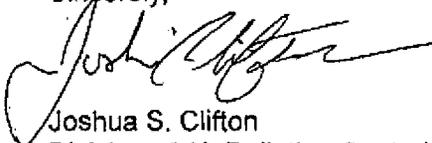
Ms. Landa Page  
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After these violations were explained to Page Excavating at the site, the company decided it would have to shut down for the day and reconvene once a strategy was implemented that would meet the requirements for asbestos removal and emissions control. The bags of RACM that had already been stripped and bagged were unsealed and wetted with a pump sprayer and double bagged for proper load out. Page Excavating agreed to seal up the facility and post warning signs before leaving the site.

At this time Page Excavating is required to inform the Ohio EPA, NWDO of the date that work will resume and what measures have been taken to correct the aforementioned violations and submit a revised notification of demolition describing accurately work practices and engineering controls to be used to comply with the requirements, including asbestos removal and waste handling emission control procedures before work can continue at the facility. The NWDO is requesting copies of the waste shipment records for all RACM removed from this facility be provided under the authority of OAC 3745-20-05 (F) as soon as they become available and a written response to this NOV as soon as possible but no later than January 17, 2013 with confirmation that Page Excavating understands the requirements of the OAC as it pertains to asbestos removal and demolition.

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 Josh Clifton at (419) 373-3058.

Sincerely,



Joshua S. Clifton  
Division of Air Pollution Control

/cg

ec: Josh Clifton, DAPC, NWDO  
Tom Sattler, DAPC, NWDO  
Mark Budge, DAPC, NWDO  
Brian Dickens, USEPA  
Bruce Weinberg, DAPC, CO  
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