



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

Re: Sandusky County
Notice of Violation
425 North Wood Street
Fremont, Ohio 43420

February 22, 2013

CERTIFIED MAIL

Mr. Justin Terry
Property Owner
408 North Clover Road
Fremont, Ohio 43420

Dear Mr. Terry:

This letter is being written in regards to the ordered demolition and clean-up of the Former Yerges Manufacturing building located at 425 North Wood Street, Fremont, Ohio. It is understood by the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control (DAPC) that demolition of the facility took place on or around January 18, 2011 and the subsequent clean-up of the debris took place between February 01, 2013 and February 05, 2013 both of which were completed by Abdo Wrecking, LLC. Ohio EPA would like to inform you of the requirements of U.S. EPA's National Emission Standard for Hazardous Air Pollutants (NESHAP) standards for asbestos and Ohio EPA's rules mirroring these requirements. Ohio EPA's rules regarding demolition and asbestos are contained in Ohio Administrative Code (OAC) 3745-20. Specifically, OAC rule 3745-20-03 requires written notice to the Ohio EPA field office having jurisdiction in the county where the demolition will occur as early as possible before, but no later than, the following work day in the case of an emergency demolition. OAC rule 3745-20-02 requires that in addition to notifying the field office of the ordered demolition, the owner or operator shall have the affected facility thoroughly inspected by a certified asbestos hazard evaluation specialist, in accordance with paragraph (C) of rule 3701-34-02 of the Administrative Code before any activities of disturbance can continue at the property. At this time a notification of demolition has not been received by Ohio EPA, NWDO.

This notice of violation is being issued for the following:

1. Violation of OAC rule 3745-20-03(A)(3)(c) "Standard for notification prior to demolition or renovation," for failure to notify the Ohio EPA field office of the emergency demolition as early as possible before, but no later than, the following work day.

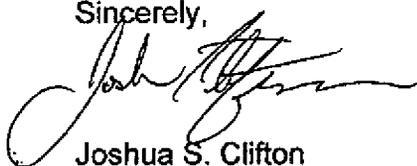
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2. Violation of OAC rule 3745-20-02(A) "Standards for demolition and renovation, facility inspection, and determination of applicability" for failure to have a thorough asbestos survey completed by an Ohio licensed Asbestos Hazard Evaluation Specialist prior to removal of the demolition debris.

Ohio EPA, NWDO is requesting that Justin Terry respond to this letter as soon as possible and no later than March 08, 2013 with a completed notification of demolition, a copy of all waste manifests for the site, and written confirmation that the property owner understands the demolition and notification requirements contained in Ohio Administrative Code, 3745-20.

Please note that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. Ohio EPA will determine later whether to pursue such penalties in this case. If you have any questions, please feel free to contact me, Josh Clifton at (419) 373-3058 or Mr. Tom Sattler at (419) 373-3116.

Sincerely,



Joshua S. Clifton
Division of Air Pollution Control

/cg

pc: Certified Mail Receipt Number 7011350000082041862

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