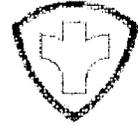


AIR POLLUTION CONTROL DIVISION

OHIO EPA AGENCY 15 • APC CONTRACTUAL REPRESENTATIVE SERVING ALL OF STARK COUNTY



Public Health
Prevent. Promote. Protect.

TERRI A. DZIENIS
APCD ADMINISTRATOR

JAMES M. ADAMS, RS, MPH
HEALTH COMMISSIONER

CANTON CITY HEALTH DEPARTMENT

420 MARKET AVENUE NORTH
CANTON, OHIO 44702-1544
PHONE: (330) 489-3385 • FAX: (330) 489-3335
WEB: WWW.CANTONHEALTH.ORG

CERTIFIED MAIL

March 19, 2013

Alliance Ventures Inc.
1840 W. State Street, Suite B
Alliance, Ohio 44601

Katich Construction
45 Hartzell Road
North Benton, Ohio 44449

**Re: NOTICE OF VIOLATION of Ohio EPA Asbestos Violations
RESOLUTION OF VIOLATION of Ohio EPA Asbestos Violations
Demolition without notification, First Violation
Vacant Filling Station, 1886 West State Street, Alliance, Ohio 44601 – Parcel 7701123**

Dear Owners and Operators:

The Canton City Health Department, Air Pollution Control Division (APCD) is the contractual representative for Ohio EPA in air quality matters within Stark County. As such, APCD employees have authority to investigate and enforce Ohio EPA air pollution regulations. During routine surveillance on March 1, 2013, Canton APCD documented evidence of recent building demolition at 1886 West State Street, Alliance, Ohio (site). At this time, the site was void of any structures and soil was freshly disturbed throughout the site. In addition, an excavator was parked onsite.

Per the Stark County Auditor, the site is owned by Alliance Ventures Inc. (owner) and was formerly developed with two commercial buildings. APCD contacted Alliance Ventures Inc. via email on March 7, 2013 to gain information on the recent demolition and to request an Ohio EPA notification form be completed. Alliance Ventures indicated that an asbestos inspection had been completed prior to demolition and returned a completed Ohio EPA notification form on March 8, 2013. Canton APCD was informed that Katich Construction was contracted to perform the demolition work (i.e. the "operator").

Be aware that an asbestos survey and an Ohio EPA notification are required for all demolition projects, regardless of asbestos content. Alliance Ventures Inc. indicated that they were unaware of the Ohio EPA notification requirement and were told by the Alliance Building Department that no other requirements were needed prior to the demolition. Canton APCD confirmed that the Alliance Building Department was unaware of the air pollution control regulations and hence did not convey this information to Alliance Ventures Inc. However, both the owner (Alliance Ventures Inc.) and operator (Katich Construction) of the site are dually responsible for ensuring all applicable air pollution control rules and regulations are followed.

Below is a summary of the findings, violations, and requested actions that need to be addressed as a result of the investigation completed by the Canton City Health Department, Air Pollution Control Division.

Finding 1:

On or before March 1, 2013, the buildings formerly located on the site (1886 West State Street, Alliance, Ohio – Parcel 7701123) were demolished without notification.

Violation of:

Since an Ohio EPA notification was not completed prior to demolition activities, Alliance Ventures Inc. (owner) and Katich Construction (operator) are in violation of the asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), 40 Code of Federal Regulations (CFR) Part 61, Subpart M, Section 61.145(b)(1), which states:

"Each owner or operator of a demolition or renovation activity shall provide the administrator with written notice of the intention to demolish or renovate."

Due to failure to notify the administrator prior to the start of demolition activities, Alliance Ventures Inc. (owner) and Katich Construction (operator) are also in violation of Ohio Administrative Code (OAC) 3745-20-03(A)(1). This regulation states:

"Each owner or operator shall provide the director of Ohio EPA with written notice of intention to demolish or renovate."

Since Alliance Ventures Inc. (owner) and Katich Construction (operator) violated OAC 3745-20-03(A)(1), they are also in violation of Ohio Revised Code (ORC) 3704.05(G), which states:

"No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Requested Actions and Resolution of Violation:

Your submission of an asbestos inspection report (completed by Joseph A. Jeffries Company Inc., dated January 3, 2013) and a completed Ohio EPA Notification form, satisfies Canton APCD's requested action(s). The violations noted above are now considered resolved.

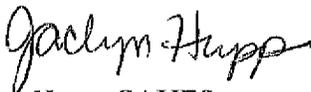
Please note that the Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). Although the above-listed violations are resolved, this does preclude the Ohio EPA from seeking civil penalties pursuant to ORC section 3704.06. The decision about whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements. The following requested actions shall be completed to ensure future compliance:

1. Alliance Ventures Inc. (owner) and Katich Construction (operator) shall follow all federal, state, and local asbestos regulations during any future renovation and/or demolition projects.

Since this is a first time violation and an asbestos inspection had been completed and no regulated asbestos containing material was identified, civil penalties will not likely be pursued at this time. However, please note that as requested above (#1), Alliance Ventures Inc. (owner) and Katich Construction (operator) shall follow all federal, state and local asbestos regulations during any future renovation and/or demolition projects. Any repeat violations conducted will likely result in penalties.

If you have any questions, or want to know the requirements for future projects, please contact me at 330-489-3385 or via email to jhupp@cantonhealth.org.

Sincerely,



Jaclyn Hupp, CAHES
Air Pollution Control Monitoring and Inspections Technician
Canton City Health Department