



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Laura H. Powell, Acting Director

January 19, 2007

Re: Jackson County
Asbestos
Complaint #20070003

Certified: 70051820000812622039

Mr. Rick McNelly
Mr. Tom Walton
Mr. Ed Armstrong
Jackson County Commissioners
275 Portsmouth Street
Jackson, Ohio 45640

Subject: complaint regarding asbestos-containing materials at the Jackson County Courthouse

Dear Commissioners:

I am writing this letter in response to complaints received by this office. The complaint alleges the floor tile in the Jackson County Courthouse is in poor condition and may contain asbestos. On January 8, 2007, I conducted an investigation of the complaints. Ms. Jessica Nease of the Juvenile Court allowed me access to the Juvenile Court offices, which had been shut down due to an issue with moldy carpet which is on top of some of the floor tile in question.

I took samples of the plaster topcoat from the water damaged area on the third floor, floor tile and mastic. The floor tile and mastic samples came back positive for asbestos. A copy of the sample results are attached. The floor tile and mastic are not normally friable materials, but the binding materials appear to be breaking down due to age and water damage. The floor tile surfaces are worn down allowing exposure of asbestos fibers during normal use. The floor tile is easily crushed by hand, which is the basic definition of friable asbestos-containing materials, as given in Ohio Administrative Code rule 3745-20-01(B)(20). OAC rule 3745-20-01(B)(20) defines friable asbestos-containing materials as any material containing more than one percent asbestos by area, as determined using the method specified in Appendix E, Subpart E, 40 CFR Part 763, Section 1 Polarized Light Microscopy [60 FR31922, June 19, 1995], that, when dry can be crumbled, pulverized, or reduced to powder by hand pressure.

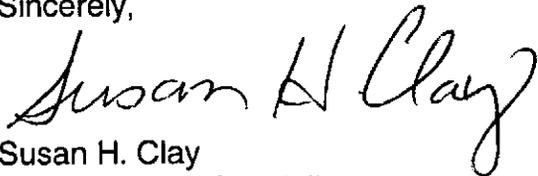
Before any renovation work can be done in the courthouse that could disturb any asbestos-containing materials, the courthouse should be surveyed by a certified Asbestos Hazard Evaluation Specialist for asbestos-containing materials. Any renovation or demolition work must be conducted in accordance with, but not limited to, Ohio Department of Health

Asbestos Regulations, Ohio EPA Asbestos Emission Control OAC Chapter 3745-20, EPA Worker Protection Regulations 40 CFR Part 763, Subpart G, USEPA National Emissions Standards on Hazardous Air Pollutants 40 CFR Part 61, Subparts A and M, and OSHA Asbestos Regulations 29 CFR Part 1926.1101. To view the rules you may wish to go to the Ohio EPA website: <http://www.epa.state.oh.us> or www.odh.ohio.gov/odh/odh_Programs/dspc/asbes1/asbestos1.aspx. The areas of greatest concern and which need immediate attention are the carpet mastic, tile mastic, floor tile, the portico ceiling and the interior walls nearest the portico on the second and third floors that are water damaged and have significantly damaged plaster. These areas should not be disturbed until the survey is completed. Access to these areas should be restricted until the location and condition of asbestos-containing materials are determined and a plan is put in place to abate any asbestos-containing materials that have become friable.

Ohio EPA rule OAC 3745-20-03 requires a Notification of Demolition or Renovation be submitted to this office at least ten working days prior to the start date of any work that will disturb friable asbestos-containing materials. A copy of the notification form is attached for your information. Contractors certified for asbestos abatement work by the Ohio Department of Health must be employed to conduct the removal of any friable asbestos-containing materials.

Please contact me at (740) 380-5229 if you have any questions.

Sincerely,



Susan H. Clay
Environmental Specialist
Division of Air Pollution Control

SHC/mlm

Enclosure

cc: The Jackson County Health District
The Honorable Steve Michael, Juvenile and Probate Courts
The Honorable Leonard Holzapfel, Common Pleas Court
Robert Walton, Jackson County Clerk of Courts
Lee Hubbard, Jackson County Treasurer
Rose Walters, Jackson County Recorder
Clyde Holdren, Jackson County Auditor
Jackson County Board of Elections