



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

Re: Erie County
1706-22 Hayes Avenue
Sandusky, Ohio 44870
Notice of Violation

May 31, 2013

CERTIFIED MAIL

Mr. Peter Gaitan
Born Again Salvage
1706-22 West Hayes Avenue
Sandusky, Ohio 44870

Dear Mr. Gaitan:

This letter is being written as a follow up to the inspection completed on May 28, 2013, at the former American Crayon Company located on Hayes Avenue in Sandusky, Ohio. Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control (DAPC) met with the owner, Mr. Peter Gaitan at the site and examined all accessible areas identified in the asbestos survey provided by Mr. Gaitan.

A notification for asbestos removal was received by the NWDO on April 26, 2013, which indicated the removal of thermal system insulation (TSI) in the basements of "Building 1 & 2" also known as the West Two-Story Kiln and Packing Plant, and the South Wood Working Box Factory. Braxton Services, AC2084, was onsite finishing up abatement activities in these areas. The abatement activities appear to have been completed satisfactory and according to applicable National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations. Born Again Salvage was also onsite removing wood flooring.

During the inspection of the boiler house located on the east side of the property it was found that work had been completed in the boiler house by Born Again Salvage which included tank removal, torch cutting of pipe systems and removal of salvageable metals. This work was described as "soft stripping" by Mr. Peter Gaitan. The boiler house contains large amounts of TSI on portions of the piping systems and it is degraded. It appears that water infiltration and air erosion had caused the TSI to degrade and fall from the pipes to the floor, and asbestos debris was identified in various locations throughout the boiler house.

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Ohio Administrative Code (OAC) 3745-20-04(A) requires that all regulated asbestos containing material (RACM) be removed from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the materials. Considering work was performed in an area where asbestos insulation is damaged and spread throughout, any work in this area is considered a disturbance of RACM. Although licensed abatement contractors were onsite (Braxton Services) they were not at any time working in the boiler house and therefore a person trained in the provisions of the NESHAP was not present at the location of operations completed in the boiler house as required by OAC 3745-20-04(B). In addition the notification for the site does not document demolition or renovation activities being completed at the site.

This notice of violation is being issued for the following:

1. Violation of OAC rule 3745-20-03(A) "Standard for notification prior to demolition or renovation," for failure to notify the Ohio EPA, NWDO, 10 working days prior to the start of demolition or renovation work.
2. Violation of OAC rule 3745-20-04(B) "Demolition and renovation procedures for asbestos emission control" for failure to have at least one authorized representative, trained in the provisions of this chapter and the means to comply with them present at the location of operations during handling or disturbance of RACM .
3. Violation of OAC rule 3745-20-04(A) "Demolition and renovation procedures for asbestos emission control" for failure to remove RACM from a facility before any activity begins that would break up, dislodge, or similarly disturb the materials.

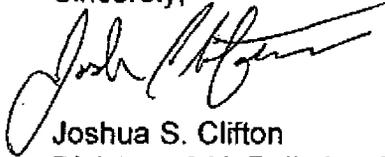
At this time no further demolition or renovation work will be permitted in any areas where RACM is likely to be disturbed including but not limited to the boiler house. A written response to this NOV is required as soon as possible but no later than June 14, 2013 with confirmation that the company understands the requirements of the OAC as it pertains to asbestos removal and demolition. Additionally the notification needs to be revised to include dates of scheduled work to be completed by Born Again Salvage to continue any work in unregulated areas.

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.

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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

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