

Department: Subdepartment:
DAPC <NONE>

Program:
DAPC - Asbestos Emission Controls

Office Location: Medium:
CDO AIR

Doc Type: Doc Subtype:
NOV <NONE>

Facility County: Facility ID:
25 - FRANKLIN

Date:
6/11/2013

Facility/Site/Location/Regulated Entity Name:
Colvin Gravel Company Your input is 21 characters long (Max 40)

Facility Address 1:
5304 North High Street Your input is 22 characters long (Max 40)

Facility Address 2:
Your input is 0 characters long (Max 40)

Facility City:
Columbus

Facility State: Facility ZIP: (00000 or 00000-0000)
OH 43137

Mailing Name:
Your input is 0 characters long (Max 40)

Mailing Address 1:
Your input is 0 characters long (Max 40)

Mailing Address 2:
Your input is 0 characters long (Max 40)

Mailing City:
Your input is 0 characters long (Max 40)

Mailing State/Province: Mailing ZIP: (00000 or 00000-0000 or X0X0X0)
<NONE>

Project Name: Project Type:

Latitude: Longitude:



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

CERTIFIED MAIL # 91 7108 2133 3932 1838 0259

June 11, 2013

Mr. Irvan Lamar
Estimator
Colvin Gravel Company
2290 McKinley Avenue
Columbus, OH 43204

Re: Notice of Violation -- No notification of demolition submitted prior to demolition of a Facility at 5304 North High Street in Columbus Ohio

Dear Mr. Lamarr:

On May 31, 2013, Ohio EPA, Central District Office, Division of Air Pollution Control (CDO) was made aware that a demolition activity had occurred at 5304 North High Street in Columbus Ohio. An inspector from CDO investigated and discovered that a facility had been demolished without compliance with the requirements of Ohio Administrative Code (OAC) rule 3745-20 and the federal National Emission Standards for Hazardous Air Pollutants.

1. Finding

During the investigation, the CDO inspector noted that no *Ohio Environmental Protection Agency Notification of Demolition and Renovation* form had been submitted to CDO prior to the demolition. Because the demolition of a facility occurred without submitting required notification, a violation of OAC rule 3745-20-03 has occurred. To be in compliance with OAC rule 3745-20-03, a complete and approvable notification must be submitted to CDO at least 10 working days prior to demolition.

Violation

OAC rule 3745-20-03 contains content and submittal deadlines pertaining to demolition of Facilities. Failure to observe these requirements is a violation of OAC rule 3745-20-03.

Failing to comply with the requirements of OAC rule 3745-20-03 is considered a violation of OAC rule 3745-20-03. Violation of OAC rule 3745-20-03 is also considered a violation of Ohio Revised Code (ORC) 3704.05(G) which states:

Mr. Irvan Lamarr
Colvin Gravel Company
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"No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Requested Action

Ohio EPA requests that Colvin Gravel Company assure that a complete and approvable Ohio Environmental Protection Agency Notification of Demolition and Renovation form has been submitted to CDO for all future demolitions of regulated structures.

Ohio EPA also requests that Colvin Gravel Company comply with all applicable requirements of OAC rule 3745-20. Please be aware that the Ohio Environmental Protection Agency has the authority to seek civil penalties as provided in section 3704.06 of the ORC. Violation of Ohio's Asbestos Control Regulations may subject the owner, operator, and removal or renovation, or demolition contractor to civil penalties of up to \$25,000 dollars per day of violation. This letter or information submitted pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by Ohio Environmental Protection Agency at a later date.

If you have any questions regarding this matter, please contact Richard Fowler of my staff at (614) 995-0671.

Sincerely,



Kelly Toth
Supervisor, Permits and Compliance
Division of Air Pollution Control
Central District Office

c: John Paulian DAPC/CO
Frederick Jones DAPC/CO
Richard Fowler, DAPC/CDO

ec Kelly Toth, DAPC/CDO

KT/el NOV Colvin no notice