



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

Re: Seneca County
16209 East County Road 46
Bellevue, Ohio 44811
**Notice of Violation/
Return to Compliance**

June 21, 2013

CERTIFIED MAIL

Father Paul Fahrbach
St. Gaspar Church
16209 East County Road 46
Bellevue, Ohio 44811

Dear Mr. Fahrbach:

This letter is being written in regard to the demolition completed on June 11, 2013 by Terry McConnell Excavating, of the facility located at 16209 East County Road 46 Bellevue, Ohio 44811. Prior to completion the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control found that demolition activities had been performed without a thorough asbestos inspection or a notice of demolition.

Ohio EPA's rules regarding demolition and asbestos are contained in Ohio Administrative Code (OAC) rule 3745-20. Specifically, OAC rule 3745-20-03(A) requires each owner or operator to provide a written notification of intention to demolish or renovate at least ten working days before the beginning of any demolition operation, asbestos stripping or removal work.

OAC rule 3745-20-02 requires that in addition to notifying the field office of the 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 3745-20-02(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.

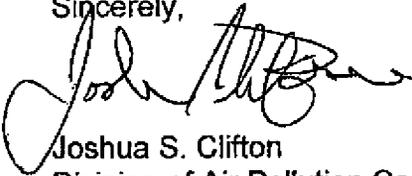
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2. Violation of OAC rule 3745-20-03(A) "Standard for notification prior to demolition or renovation," for failure to notify the Ohio EPA, NWDO, 10 working days prior to the start of work.

The facility was a privately owned old school building located on a church property. Once Terry McConnell Excavating was made aware of the violations, an asbestos survey was completed and a notification was submitted. Considering the actions taken to correct the violations and overall cooperation with the Ohio EPA, NWDO, Terry McConnell Excavating has returned to compliance.

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

Enclosure

pc: Certified Mail Receipt Number 70091410000118347462

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