



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

Re: Lucas County  
**Notice of Violation**  
844 Clark Avenue

July 10, 2013

**CERTIFIED MAIL**

Ms. Shantae Brownlee  
Lucas County Land Bank  
One Government Center – Suite 580  
Toledo, Ohio 43604

Dear Ms. Brownlee:

This letter is being written in regards to the demolition of the facility under control of the Lucas County Land Bank (LCLB) located at 844 Clark Avenue, Toledo, Ohio that took place in June of 2013. A complaint was made to the City of Toledo Environmental Services (TES) that demolition had taken place and asbestos transite siding was not removed from the facility. The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control inspected the facility on June 27, 2013 and found the complaint to be valid. Transite siding was identified co-mingled through-out the debris. Ohio EPA met with TES and Harish Pandhi the Asbestos Hazard Evaluation Specialist that completed the original inspection of the facility. According to Mr. Pandhi the transite siding was under vinyl siding and was not discovered during the inspection. Asbestos transite is category II asbestos when intact. When the forces that act upon the material render it friable, in this case demolition, it then becomes regulated asbestos containing material (RACM).

According to U.S. EPA's National Emission Standard for Hazardous Air Pollutants (NESHAP) standards for asbestos and Ohio EPA's rules mirroring these requirements the affected facility is required to have a thorough asbestos inspection prior to commencement of demolition and all regulated asbestos-containing material must be removed prior to demolition or renovation activities.

This notice of violation is being issued for the following:

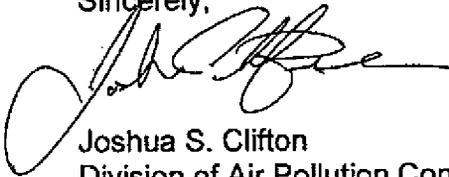
1. Violation of OAC rule 3745-20-02(A) "Standards for demolition, facility inspection, and determination of applicability," for failure to have a thorough asbestos inspection prior to commencement of demolition.
2. Violation of OAC rule 3745-20-04(A) "Demolition and renovation procedures for asbestos emission control," for failing to remove regulated asbestos-containing material prior to demolition.

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At this time the Ohio EPA requires all debris to be treated as RACM, all debris is to be maintained adequately wet until removed, a revised notification must be submitted to include an asbestos removal contractor for clean-up, quantity of asbestos to be removed, and a written response to this letter be provided no later than July 23, 2013 indicating that the LCLB understands the OAC regarding asbestos inspection and removal of RACM prior to demolition.

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 you can email me at [josh.clifton@epa.ohio.gov](mailto:josh.clifton@epa.ohio.gov), or contact me by phone at (419) 373-3058.

Sincerely,



Joshua S. Clifton  
Division of Air Pollution Control

/cg

pc: Certified Mail Receipt Number 70091410000118346601

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