



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

Re: Lucas County  
133 Streicher Street, Toledo  
**Notice of Violation**  
**Return to Compliance**

July 24, 2013

**CERTIFIED MAIL**

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

Dear Ms. Brownlee:

This letter shall serve as follow-up to The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control's July 22, 2013 inspection of a facility under the control of the Lucas County Land Bank (LCLB) and located at 133 Streicher Street, Toledo, Ohio. At the time of the inspection Total Environmental Services (Total) was onsite overseeing the removal of regulated asbestos containing material (RACM) in the form of contaminated demolition debris.

Ohio EPA arrived onsite as a roll-off box of asbestos contaminated debris was leaving the site that was reported to be single lined with six mil plastic. This load of debris was not covered or sealed. A second roll-off box was being loaded with asbestos contaminated debris and was not properly labeled.

Ohio EPA's rules regarding asbestos waste handling are contained in Ohio Administrative Code (OAC) rule 3745-20. Specifically, OAC rule 3745-20-05 requires after wetting that all asbestos-containing waste be sealed while wet in a durable leak-tight container, all containers of asbestos containing waste material be properly labeled, and materials that will not fit into containers shall be sealed with at least twelve mils of leak-tight plastic.

This notice of violation is being issued for the following:

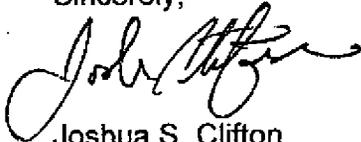
1. Violation of OAC rule 3745-20-05(B) "Standard for asbestos waste handling," for failure to properly seal asbestos-containing waste while wet prior to removal from the site.
2. Violation of OAC rule 3745-20-05(C) "Standard for asbestos waste handling," for failure to properly line and label waste containers.

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Ohio EPA spoke with Tom Zuber, AS31627 and explained the deficiencies identified at the site. Mr. Zuber agreed to double line the waste containers, provide signage for the containers, and seal all loads before being removed from the site. Signage was immediately provided for the waste container and additional poly covering was delivered to the site by another Total employee to properly seal the containers prior to shipment. Considering Total Environmental Services agreed to remedy all deficiencies at the site, complied with all requests of the NWDO, and was cooperative in all regards the company returned to compliance.

Please note that the submission of any 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 70091410000118347424

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