



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

Re: Lucas County
Notice of Violation

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 is being written in regards to the demolitions that took place in July of 2013 of three facilities under control of the Lucas County Land Bank (LCLB). These facilities were located at 133 West Streicher Street, 316 East Park Street, and 329 Bronson Avenue in Toledo, Ohio. The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Air Pollution Control was informed by the LCLB that these facilities had mistakenly been demolished prior to the removal of asbestos.

Initially 133 West Streicher Street was thought to have Category I non-friable asbestos as this is what the notification indicated that was submitted by the LCLB. However, upon review of the asbestos inspection report completed by TTL Associates, Inc. it was found that the material was actually documented as 290 square feet of friable gray backing under tile and terrazzo flooring. This information will need to be corrected on the notification. The other two facilities indicated the presence of 30 square feet of regulated asbestos-containing material (RACM) to be removed and 80 square feet of RACM to be removed respectively. This means all three facilities were demolished prior to the removal of 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 all regulated asbestos-containing material removed prior to demolition or renovation activities.

This notice of violation is being issued for the following:

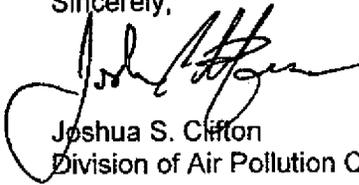
1. Violation of OAC rule 3745-20-04(A) "Demolition and renovation procedures for asbestos emission control," for failing to remove regulated asbestos-containing material prior to demolition.

At this time the Ohio EPA requires all debris to be treated as RACM, all debris is to be maintained adequately wet until removed, revised notifications must be submitted to include an asbestos removal contractor for clean-up, quantity of regulated asbestos to be removed, and a written response to this letter be provided no later than August 6, 2013 indicating that the LCLB understands the nature of this violation and the regulations that govern regulated asbestos removal and demolition.

Ms. Shantae Brownlee
July 24, 2013
Page 2

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, or contact me by phone at (419) 373-3058.

Sincerely,



Joshua S. Clifton
Division of Air Pollution Control

/cg

pc: Certified Mail Receipt Number 70091410000118347455

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