



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

October 2, 2012

151514 005
100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

Mr. Randy Neal
Neal Scrap Company, LLC
P. O. Box 857
New Castle, IN 47362

Mr. Rob Czukor
Double Dapple Development, LLC
860 E. Coco Plum Circle
Fort Lauderdale, FL 33324

Re: Violation Letter #152008
Federal Mogul/Ferodo Demolition
Neal Scrap Co. LLC
New Castle, Henry County

Dear Mr. Neal:

On September 11, 2012 a representative of the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) observed the demolition of the former Federal Mogul/Ferodo manufacturing building located at 1112 South 25th Street, New Castle, Henry County. The demolition of this facility required that a completed asbestos demolition notification form be submitted to IDEM prior to implementation of the demolition project, a violation of 326 IAC 14-10 Emission Standards for Asbestos; Demolition and Renovation Operations (copy enclosed).

326 IAC 14-10-3 requires that an asbestos demolition notice be postmarked or delivered at least ten working days prior to demolition of any commercial, industrial or institutional facility. This notification must be submitted at least 10 working days prior to demolition even when there is no asbestos present. It is noted that the notice of demolition form was received by fax at this office on 09/21/2012.

IDEM will not proceed with legal action at this time. However, failure to comply with the demolition notification in the future may result in formal enforcement action. If you have any questions regarding this matter, please contact Larry Howard at (317) 233-6869 or at (800) 451-6027, extension 3-6869 or via e-mail at lhoward@idem.IN.gov. Thank you for your attention to this matter.

Sincerely,

Craig Henry, Chief
Enforcement and Compliance Section III
Office of Air Quality

CLH/leh
Enclosures

State of Indiana
Department of Environmental Management
Office of Air Quality

DEMO/RENO ASBESTOS INSPECTION FIELD CHECKLIST

Inspected By: Larry Howard *LH*
Time In: 2:00
Time Out: 2:30
Inspection Date: 09/11/2012
Reported By: Larry Howard
Report Date: 09/25/2012

ACES Notification Number: N/A
ACES Complaint Number: 151443
ACES Inspection Number: 151514
ACES Violation Numbers: 152008

1. BACKGROUND INFORMATION

Site Location: 1112 South 25th Street, New Castle, Henry County

Owner/Operator: Double Dapple Development, LLC

Contact: Mr. Rob Czukor

Phone/E-mail: Office: 954-295-5423

Contractor: Neal Scrap Metal, LLC, 1711 I Avenue, P O Box 857, New Castle, IN 47362

Site Contact/Title: Mr. Randy Neal, Owner

Notification Received: Yes: , No: , Stripping/Removal Dates: ___ to ___

Demolition Dates: ___ to ___

Complaint Generated: Yes: , No: , If yes, Date Received: 09/11/2012

A complaint received by OAQ on 09/11/2012 alleged that a commercial building was demolished rumored to have asbestos within the facility based on the fact that the previous occupant manufactured truck brake components.

2. PROJECT INFORMATION

Renovation , Demolition , Emergency Renovation , Ordered Demolition

Location of Material: None

3. PROCEDURES FOR ASBESTOS EMISSION CONTROL

PRE-ABATEMENT OBSERVATIONS:

	<u>Yes</u>	<u>No</u>	<u>Not Observed</u>
Pre-existing contamination in work area	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Contractor equipment on site	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Asbestos Removal Was in Progress	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ABATEMENT:

Asbestos Removal Was Clearly Observed: Yes , No
(If yes, check all applicable responses below)

Through Viewing Ports

By Entering Enclosures

Direct Observation (No Enclosures)

Site Location: 1112 South 25th Street, New Castle, Henry County
Date: 09/11/2012

OAQ
FIELD CHECKLIST
DEMO/RENO INSPECTION REPORT

Name of Supervisor in charge, if violation noted: N/A
Was owner/operator orally informed of any alleged violations: Yes No

4. SAMPLES

Location(s) of samples: N/A

Numbers Assigned to Samples:

Date submitted to lab:

Was Chain-of-Custody form completed: Yes No

Were Pictures taken: Yes No

Sample results:
(Chain-of-Custody and laboratory results are maintained by inspector)

5. OBSERVATIONS:

The purpose of this investigation was to determine compliance with 326 IAC 14-10. This investigation was conducted in response to a complaint received by OAQ on 09/11/2012 alleging, among other things, that asbestos left behind from brake pad manufacturing may have been in a building that was demolished. Prior to investigating this complaint a search in the ACES database revealed that no Notice of Demolition was received for the property noted in the complaint.

Upon arrival at 1112 South 25th Street, New Castle, Henry County, it was apparent that the former brake manufacturing building had been demolished. The demo debris was still onsite, lying upon the ground surface in one large pile. The front gate was padlocked closed and no one was onsite. Inspector Howard walked around the three sides of the property that was bordered by public accessible land but there was no opening in the fence surrounding the property and no way to gain entry onto the property.

Inspector Howard then made a visit to the New Castle Building Department and discovered that a demolition permit was issued to Neal Scrap Co. LLC of New Castle on 05/03/2012. Inspector Howard then drove to Neal Scrap Co. and asked to speak with the business owner, Randy Neal. Mr. Neal was not in so Inspector Howard left behind a packet containing pertinent asbestos information and explained the nature of the inquiry.

An investigation ensued during which it was discovered that an Indiana licensed asbestos inspector had conducted an inspection for the presence of asbestos on 05/24/2011. This asbestos inspection was conducted in preparation for the planned demolition. The inspector, Bill Ogle of Ogle and Associates, was contacted and asked about the results of the inspection. Mr. Ogle reported that no regulated asbestos containing materials (RACM) was found at the plant. In addition, an OAQ records review was conducted during which it was discovered that the source stopped handling asbestos containing materials in the brake lining business sometime prior to 1996.

Neal scrap Co. was notified that renovation or demolition of any commercial building requires an inspection for the presence of asbestos containing materials and submittal of the applicable Notice of Renovation/Demolition form to IDEM at least ten days prior to the planned renovation/demolition project. Neal Scrap Co. stated they were aware that an asbestos inspection had been conducted but did not think to submit a notification form. Neal Scrap Co. was also notified that a Notice of Demolition form needed to be submitted now and that it had violated 326 IAC 14-10 for failing to submit the notice at least ten days prior to the commencement of the demolition project. They expressed regret and agreed to submit the form as soon as possible.

On 09/21/2012, OAQ received a Notice of Demolition form from Neal Scrap Company, LLC.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
NOTIFICATION OF DEMOLITION AND RENOVATION OPERATIONS**

151956

State Form 44593 (R2 / 8-99)

I. TYPE OF NOTIFICATION (check one):		Original <input checked="" type="checkbox"/>	Revised <input type="checkbox"/>	Canceled <input type="checkbox"/>	Courtesy <input type="checkbox"/>
* Must include copy of notification which is being revised					
II. FACILITY INFORMATION (Identify owner, removal contractor, demolition contractor, inspector, and project designer)					
Owner: <u>Double Dapple Dev LLC</u>					
Address: <u>860 E Coco Plum Circle</u>					
City: <u>Ft. Lauderdale</u>		State: <u>FL</u>		Zip: <u>33324</u>	
Contact: <u>Rob J Czulkor</u>		Telephone #: <u>954-295-5423 3766</u>			
Removal Contractor:			Demolition Contractor: <u>Neal Scrap Metal LLC.</u>		
Address:			Address: <u>P.O. Box 857</u>		
City:		State:		Zip:	
City: _____		State: _____		Zip: _____	
Contact:			Contact: <u>Randy Neal</u>		
Phone:			Phone: <u>765-629-4184</u>		
IN License #:			Expiration:		
IN License #: _____			Expiration: _____		
Inspector: <u>Bill Ogle & Ogle Associates</u>			Project Designer: _____		
Address: <u>7929 Southeastern Ave</u>			Address: _____		
City: <u>Indianapolis</u>		State: <u>IN</u>		Zip: <u>46239</u>	
City: _____		State: _____		Zip: _____	
IN License #: <u>191003027</u>			IN License #: _____		
Expiration: _____			Expiration: _____		
Phone: <u>317-610-6905</u>			Phone: _____		
(Required for asbestos projects at schools K-12)					
RECEIVED STATE OF INDIANA DEPT. OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY					
III. TYPE OF OPERATION (check one)					
Intentional Burning: _____		Renovation: _____		Emergency Renovation: _____	
Demolition: <input checked="" type="checkbox"/>		Ordered Demolition: _____		_____	
IV. IS ASBESTOS PRESENT? (check one) YES: <input checked="" type="checkbox"/>					
V. PROCEDURES, INCLUDING ANALYTICAL METHODS, IF APPROPRIATE, USED TO DETECT THE PRESENCE AND AMOUNT OF ASBESTOS MATERIAL					
VI. APPROXIMATE AMOUNT OF ASBESTOS (Including Regulated ACM, Category I non-friable Category II non-friable ACM)					
	Regulated ACM to be removed	Non-friable Asbestos Material To be removed		Non-friable Asbestos Material Not to be removed before demolition	
		Category I	Category II	Category I	Category II
Pipes (LnFt)					
Surface Area (SqFt)					
Total Volume (CuFt) on/off Components					
VII. SCHEDULED DATES OF ASBESTOS STRIPPING/REMOVAL:		Start: _____		End: _____	
VIII. SCHEDULED DATES OF RENOVATION:		Start: <u>8/1/12</u>		End: <u>6/2/12</u>	
IX. FACILITY DESCRIPTION (including building name, floor, and room number)					
Building Name: <u>Federal Magul</u>					
Street Address: <u>1112 S. 25th St.</u>					
City: <u>New Castle</u>		State: <u>IN</u>		County: <u>Henry</u>	
Location of removal within building: _____					
Building Size (SqFt): <u>9,000</u>		# of Floors: <u>1</u>		Age: _____	
Present Use: <u>None</u>		Prior use: <u>Manufacturing</u>			

X. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, METHODS/TECHNIQUES TO BE USED, AFFECTED FACILITY COMPONENTS AND TYPE OF MATERIALS REMOVED
Heavy Equipment, Trac Hose, Backhoe

XI. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE SITE, INCLUDING ASBESTOS STRIPPING, REMOVAL AND WASTE HANDLING PROCEDURES TO PREVENT NON-FRIABLE ASBESTOS MATERIAL FROM BECOMING FRIABLE IN THE COURSE OF THE PROJECT:

XII. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NON-FRIABLE ASBESTOS MATERIAL BECOMES CRUMBLLED, PULVERIZED, OR REDUCED POWDER:
Stop work immediately and contact Asbestos Inspector and/or Asbestos Contractor

XIII. WASTE TRANSPORTER
Name: _____
Address: N/A
City: _____ State: _____ Zip: _____
Contact: _____ Phone: _____

XIV. WASTE DISPOSAL SITE
Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Contact: _____ Phone: _____

XV. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY, IDENTIFY THE AGENCY BELOW AND ATTACH A COPY OF THE ORDER TO THIS FORM. IF THE FACILITY IS NOT INSPECTED PRIOR TO DEMOLITION, THE DEBRIS MUST BE KEPT ADEQUATELY WET. THE DEBRIS MUST THEN BE INSPECTED AFTER DEMOLITION OR ASSUME ALL DEBRIS TO BE CONTAMINATED WITH RACM AND DISPOSED OF APPROPRIATELY TO COMPLY WITH 328 IAC 14-10-1(b).
Name: N/A Title: _____ Date ordered to begin: _____
Authority: _____ Date of Order: _____

XVI. FOR EMERGENCY RENOVATIONS: N/A Date and time of emergency: _____
Description of sudden, unexpected event: _____
Explanation of how the event caused unsafe conditions or would cause equipment damage: _____

XVII. I HEREBY CERTIFY THAT THE INFORMATION IN THIS NOTIFICATION IS CORRECT AND THAT I WILL ONLY USE INDIANA LICENSED WORKERS AND PROJECT SUPERVISORS, TO IMPLEMENT THIS ASBESTOS PROJECT, WHICH HAVE BEEN TRAINED IN 326 IAC 14-10; 40 CFR PART 61, SUBPART M; AND, IF APPLICABLE, INDIANAPOLIS AIR POLLUTION CONTROL BOARD REGULATION 14. THE TRAINED INDIVIDUAL(S) ALONG WITH EVIDENCE THAT THE REQUIRED TRAINING WAS ACCOMPLISHED SHALL BE AVAILABLE AT THE JOB SITE DURING ACTUAL WORKING HOURS.
Owner/operator (signature): Randy Neal date: 9/21/12
Owner/operator (printed): Randy Neal affiliation: Single Member

***** OFFICE USE ONLY *****
POSTMARK: RECEIVED: REVIEWED BY: LEH DEFICIENCIES: LATE

