

**Environmental  
Protection Agency**

Ohio Department of  
Environmental Protection  
190 East Broad Street  
Columbus, Ohio 43260-1199  
614.644.6300  
www.epa.ohio.gov

September 7, 2011

RE: **WARNING LETTER**  
DEMOLITION ACTIVITIES AT  
5206 HERMAN AVENUE, CLEVELAND, OH

**CERTIFIED MAIL**

Mr. Isaiah Brewer  
A & I Health Solutions  
8875 Murray Ridge  
Elyria, Ohio 44035

Dear Mr. Brewer:

On August 10, 2011, the Ohio EPA Northeast District Office (NEDO), Division of Air Pollution Control (DAPC), received an Ohio EPA Notification of Demolition and Renovation notice postmarked August 9, 2011, for abatement of a residential structure located at 5206 Herman Avenue, Cleveland, Ohio. This notification indicated that asbestos-containing material (ACM), specifically pipe insulation, was to be removed on August 23, 2011.

A review of the notification documented that while ACM was to be removed, there were no amounts listed in Section VII., nor was the name and ODH certification number of the asbestos hazard evaluation specialist (AHES) listed in Section VI. DAPC/NEDO staff attempted to contact you unsuccessfully by telephone prior to the commencement of this abatement project in order to correct these deficiencies.

In view of the above facts, the demolition project conducted at 5206 Herman Avenue located in Cleveland, Ohio was subject to compliance with the Clean Air Act and regulations promulgated there under, setting forth a National Emission Standard for Asbestos 40 CFR 61.140, *et seq.* (NESHAP Asbestos Standard) specifically section 40 CFR 61.145 (b) Notification Requirements.

40 CFR 61.145 (b) (4) (iv) required that the notice include an "estimate of the approximate amount of RACM to be removed from the facility in terms of length of pipe in linear meters (linear feet), surface area in square meters (square feet) on other facility components, or volume in cubic meters (cubic feet) if off the facility components. Also, estimate the approximate amount of Category I and Category II nonfriable ACM in the affected part of the facility that will not be removed before demolition." Similarly, this information is also required by OAC 3745-20-03 (A) (4) (g).

These types of operations are also subject to Ohio Administrative Code (OAC) chapter 3745-20, "Ohio Asbestos Emission Control Rules," specifically OAC 3745-20-02, Standards for Demolition and Renovation, Facility Inspection, and Determination of Applicability.

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OAC 3745-20-02 (A) states that "notwithstanding any other exclusion of this rule, and to determine which requirements of this rule and of rules 3745-20-03 and 3745-20-04 of the Administrative Code apply, each owner or operator of any demolition or renovation operation shall have the affected facility or part of the facility where a demolition or renovation operation will occur thoroughly inspected by a certified asbestos hazard evaluation specialist, in accordance with paragraph (C) of rule 3701-34-02 of the Administrative Code prior to the commencement of the demolition or renovation for the presence of asbestos, including category I and category II nonfriable asbestos containing material."

This letter is to inform you that a revised notification, containing the accurate amounts of RACM and ACM to be removed and to remain in place, along with the name and certification number of the ODH-certified AHES, is to be submitted to our office within 14 days of receipt of this letter.

This Warning Letter in no way waives the right of Ohio EPA or U.S. EPA to pursue additional enforcement action. Further communications may be directed to you regarding this violation or additional violations that may be found.

If you have any questions, or concerns regarding the information being presented to you in this warning letter, please contact the undersigned at (330) 963-1230.

Sincerely,



Bob Prinic  
Environmental Supervisor  
Division of Air Pollution Control

BP:bo

pc: Ed Fasko, DAPC/NEDO  
Chris Williams, DAPC/NEDO  
Tom Buchan, DAPC/CO  
Mark Needham, ODH  
Damian Borkowski, City of Cleveland