



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erieview Plaza, Second Floor  
Cleveland, Ohio 44114-1839  
216/664-2297 • Fax: 216/420-8047  
www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7010 1870 0000 6591 4285  
RETURN RECEIPT REQUESTED

November 30, 2011

Keith Tiggs  
Lee Environmental  
11212 Avon Ave.  
Cleveland, Ohio 44105

FACILITY ID: CL 12 133  
NOTICE OF VIOLATION: NESHAP VIOLATIONS

Dear Mr. Tiggs:

On November 11, 2011, the Cleveland Division of Air Quality (CDAQ) inspected site address 1252-54 Westlake Ave. located in Lakewood. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Asbestos removal projects are subject to compliance with the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), Title 40 Code of Federal Regulations (CFR) Part 61 Subpart M, the Ohio Administrative Code (OAC) Rule 3745-20, and the Ohio Revised Code Chapter 3704.05(G).

Lee Environmental violated 40 CFR Part 61.145(c)(2)(i) and OAC Rule 3745-20-04(A)(2)(a) for not adequately wetting all RACM exposed during cutting operations of the TSI insulation. [Observed on November 11, 2011]

Lee Environmental violated 40 CFR Part 61.145(c)(4)(ii) and OAC Rule 3745-20-04(A)(4)(b) for not using a local exhaust ventilation and collection system to capture the particulate asbestos material produced during the removal of TSI insulation. [Observed on November 11, 2011]

Lee Environmental violated 40 CFR Part 61.150(a) and OAC Rule 3745-20-05(B) by allowing the discharge of visible emissions to the outside air during the collection of regulated asbestos containing material (RACM). [Observed on November 11, 2011]

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Lee Environmental submit a corrective action plan listing the methods that will be used to decontaminate the structure of 1252-54 Westlake Ave., and submit a revised Notification of Demolition and Renovation to the following enforcement



representative:

Mike Samec  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

Your written response to this letter must be received by CDAQ within fourteen (14) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars or imprisonment for not more than one year, or both, for each violation.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number CL 12 133.

Sincerely,

A handwritten signature in black ink that reads "Linda Kimmy".

Linda Kimmy  
Field Enforcement Manager

LK/ms

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\1252-54 Westlake\2011-11-11  
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**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7010 1870 0000 6591 4292  
RETURN RECEIPT REQUESTED**

December 1, 2011

Jim Blocksidge  
City of Lakewood  
12650 Detroit Road  
Lakewood, Ohio 44107

**FACILITY ID: CL 12 133  
NOTICE OF VIOLATION: NESHAP VIOLATIONS**

Dear Mr. Blocksidge:

On November 11, 2011, the Cleveland Division of Air Quality (CDAQ) inspected site address 1252-54 Westlake Ave. located in Lakewood. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

As owner listed on the Notification of Demolition and Renovation form submitted for 1252-54 Westlake Ave. you are receiving this Notice of Violation.

Asbestos removal projects are subject to compliance with the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), Title 40 Code of Federal Regulations (CFR) Part 61 Subpart M, the Ohio Administrative Code (OAC) Rule 3745-20, and the Ohio Revised Code Chapter 3704.05(G).

The abatement project is in violation of 40 CFR Part 61.145(c)(2)(i) and OAC Rule 3745-20-04(A)(2)(a) for not adequately wetting all RACM exposed during cutting operations of the TSI insulation. [Observed on November 11, 2011]

The abatement project is in violation of 40 CFR Part 61.145(c)(4)(ii) and OAC Rule 3745-20-04(A)(4)(b) for not using a local exhaust ventilation and collection system to capture the particulate asbestos material produced during the removal of TSI insulation. [Observed on November 11, 2011]

The abatement project is in violation of 40 CFR Part 61.150(a) and OAC Rule 3745-20-05(B) by allowing the discharge of visible emissions to the outside air during the collection of regulated asbestos containing material (RACM). [Observed on November 11, 2011]



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that City of Lakewood submit a corrective action plan listing the steps that will be taken to prevent future NESHAP violations during asbestos removal. Submit the corrective action plan to the following enforcement representative:

Mike Samec  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

Your written response to this letter must be received by CDAQ within fourteen (14) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars or imprisonment for not more than one year, or both, for each violation.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number CL 12 133.

Sincerely,

Linda Kimmy  
Field Enforcement Manager

LK/ms

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
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City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
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**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7000 0600 0022 4716 6597  
RETURN RECEIPT REQUESTED**

January 9, 2012

Keith Tiggs  
Lee Environmental  
11212 Avon Ave.  
Cleveland, Ohio 44105

NON-HPV

**FACILITY ID: CL 12 133  
SECOND NOTICE OF VIOLATION: NESHAP VIOLATIONS**

Dear Mr. Tiggs:

On November 11, 2011, the Cleveland Division of Air Quality (CDAQ) inspected site address 1252-54 Westlake Ave. located in Lakewood. On November 30, 2011, CDAQ issued a Notice of Violation requesting that Cuyahoga County Land Reutilization Corp. (County Land Bank) submit a corrective action plan involving the site 1252-54 Westlake Ave.

This letter serves as notification that you are still operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Asbestos removal projects are subject to compliance with the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), Title 40 Code of Federal Regulations (CFR) Part 61 Subpart M, the Ohio Administrative Code (OAC) Rule 3745-20, and the Ohio Revised Code Chapter 3704.05(G).

Lee Environmental violated 40 CFR Part 61.145(c)(2)(i) and OAC Rule 3745-20-04(A)(2)(a) for not adequately wetting all RACM exposed during cutting operations of the TSI insulation. [Observed on November 11, 2011]

Lee Environmental violated 40 CFR Part 61.145(c)(4)(ii) and OAC Rule 3745-20-04(A)(4)(b) for not using a local exhaust ventilation and collection system to capture the particulate asbestos material produced during the removal of TSI insulation. [Observed on November 11, 2011]

Lee Environmental violated 40 CFR Part 61.150(a) and OAC Rule 3745-20-05(B) by allowing the discharge of visible emissions to the outside air during the collection of regulated asbestos containing material (RACM). [Observed on November 11, 2011]



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Lee Environmental submit a corrective action letter stating corrections will be taken for the site address 1252-54 Westlake Ave. and measures taken to prevent future asbestos violations to the following enforcement representative:

Mike Samec  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

Your written response to this letter must be received by CDAQ within fourteen (14) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars or imprisonment for not more than one year, or both, for each violation.

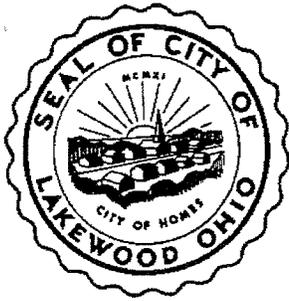
CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA CL number CL 12 133.

Sincerely,

Linda Kimmy  
Field Enforcement Manager

LK/ms

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
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12650 Detroit Avenue • 44107 • 216/529-4663 • FAX 216/529-5907

**DIVISION OF COMMUNITY DEVELOPMENT**  
Department of Planning & Development

December 14, 2011  
Mr. Mike Samec  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland Ohio 44114-1839

Dear Mr. Samec,

Enclosed please find a copy of the air sampling results for the asbestos work conducted at 1252-54 Westlake Ave. Lakewood Ohio. This additional work request by you to remedy a mistake made by a field worker at the job site brings the project into compliance.

The action plan of the City of Lakewood will be to continue to use licensed contractors to do asbestos surveys, notification and abatement as required for all future demolition projects. All demolition projects in the recent past have met these requirements, and we will continue to do all work per city code and other related regulations.

This letter is in response to a letter from the CDAQ dated December 1<sup>st</sup>, 2011 with a reference to Ohio EPA facility identification number CL 12 133.

City of Lakewood  
12650 Detroit Ave.  
Lakewood Ohio 44107

enc.

L & S CONSULTING, INC. P.O. BOX 202354 SHAKER HTS., OHIO 44120 OFFICE PHONE # (216) 496.7272	Microscopist/ Microbiologist AHES  E-Mail feltonfswoods@aol.com
---	--

MONTH \_\_\_\_\_ YEAR 2011

CLIENT  
**Third Party Testing Environmental Services**  
 16781 Chagrin Blvd. Suite 138  
 Shaker Hts., OH 44120

DATE RECEIVED 11.28.2011  
 JOB NUMBER \_\_\_\_\_  
 REPORT NUMBER T1112801

PROJECT LOCATION  
 1252-54 Westlake Ave.  
 Lakewood, OH

LABORATORY REPORT - AIR SAMPLING FOR FIBERS					
DATE	11.28.2011	11.28.2011	11.28.2011	11.28.2011	
I.D. #	01	02	03	Control	
PUMP	HV-2	HV-1	HV-3	Blank	
FLOW (L/min)	15.0	15.0	15.0	---	
START	11:00	11:00	12:25	---	
STOP	12:20	12:20	1:45	---	
DURAT. (min)	80	80	80	---	
SAMP/L	1200	1200	1200	---	
FIBERS/FIELD	08/100	09/100	09/100	00/100	
CONC. F/CC	0.003	0.004	0.004	---	

I.D. #	DESCRIPTION	F/CC
01	Final air clearance test- 1st floor dining room	0.003
02	Final air clearance test- Basement- north side	0.004
03	Final air clearance test- Basement- south side	0.004
CB	Control Blank 00/100	---

SAMPLE ANALYSIS DATA			
Taken By	Donny Jones	NIOSH Test Method	7400A
Performed By	F. Woods, Lab	Fibers/Field Q.C. Blank	00/100

Comments Final air clearance test results were within safe levels- Less than 0.01 F/CC

Reviewed & Approved By JD Completion Date 11.29.2011



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
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**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7010 1870 0000 6591 4933  
RETURN RECEIPT REQUESTED**

December 19, 2011

Jim Blocksidge  
City of Lakewood  
12650 Detroit Road  
Lakewood, Ohio 44107

**FACILITY ID: CL 12 133  
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Blocksidge:

On December 1, 2011, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation for the site located at 1252-54 Westlake Ave. in Lakewood, Ohio requiring City of Lakewood to correct asbestos removal violations. CDAQ is in receipt of a corrective action plan dated December 15, 2011. City of Lakewood submitted final air clearance test results and will continue to use licensed contractors for asbestos surveys and abatement.

The corrective action plan was received in a timely manner and appropriate steps were taken to bring the source into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.

CDAQ issues this letter with Ohio EPA's concurrence and does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number CL 12 133.

Sincerely,

A handwritten signature in black ink that reads "Linda Kimmy".

Linda Kimmy  
Field Enforcement Manager, CDAQ

LK/ms

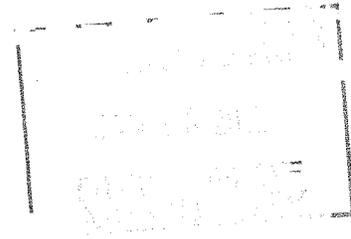
cc: John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
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Westlake\2011-11-11 NEAR Owner.docx

**LEE ENVIRONMENTAL CLEANING, INC.**

January 12, 2012

Mr. Mike Samec  
Cleveland Division of Air Quality  
75 Erievue Plaza 2<sup>nd</sup> Floor  
Cleveland, OH 44114

~~CONFIDENTIAL~~  
CL 12 133



**Re: Corrective Action Plan for Decontamination of 1251/54 Westlake Ave.**

Dear Mr. Samec:

Please review the following Corrective Action Plan submitted by Lee Environmental Cleaning, Inc.

- Lee Environmental will use plenty of water to thoroughly wet down all RACM during the removal process
- Lee Environmental will build a seal containment area and pull negative pressure with HEPA filters while wearing protective suite and HEAP mask
- The entire structure will be cleaned with amended water using HEPA vacuum cleaner

Lee Environmental Cleaning is committed to adapting any and all of its procedures in conformance with OSHA regulations and seeks any and all assistance and feedback from the U.S. Department of Labor.

I look forward to speaking with you in the near future and I can be contacted at (216) 355-1565.

Sincerely yours,

Kenneth McElroy, Administrator

Lee Environmental Cleaning, Inc.

10/10/10



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Frank G. Jackson, Mayor

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**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7011 3500 0000 1759 5095  
RETURN RECEIPT REQUESTED**

February 24, 2012

Keith Tiggs  
Lee Environmental  
11212 Avon Ave.  
Cleveland, Ohio 44105

**FACILITY ID: CL 12 133  
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Tiggs:

On November 30, 2011, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Lee Environmental to submit a corrective action plan listing the methods used to decontaminate the structure for site address 1252-54 Westlake Ave. located in Lakewood. CDAQ is in receipt of a corrective action plan dated January 13, 2012, which states that Lee Environmental will wet all RACM during removal process, build a seal containment area and pull negative pressure with HEPA filters and clean the entire structure with amended water.

The corrective action plan was received in a timely manner and appropriate steps were taken to bring the source into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.

CDAQ issues this letter with Ohio EPA's concurrence and does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA CL number CL 12 133.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/ms



cc: John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
Kenneth McElroy, Lee Environmental Cleaning, Inc.  
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