



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

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

**CERTIFIED MAIL 7002 2030 0001 1808 3386
RETURN RECEIPT REQUESTED**

January 2, 2007

Mary Pappadakes
22875 Laramie Drive
Rocky River, Oh 44116

**FACILITY: 2216 Wooster Road Vacant Store
NOTICE OF VIOLATION: ASBESTOS AND EMISSIONS VIOLATION**

Dear Mrs. Pappadakes:

On 12/5/06 & 12/11/06, the Cleveland Division of Air Quality (CDAQ) inspected 2216 Wooster Road located in Rocky River. This letter serves as notification that you are operating/have operated an asbestos renovation project (ARP) in violation of the following applicable air statutes, air regulations, or air permit conditions.

Renovation 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, and the Ohio Administrative Code (OAC) Rule 3745-20.

The ARP violates OAC Rule 3745-20-03(A)(1) and 40 CFR 61.145(b) in that CDAQ did not receive written notification 10 working days prior to the beginning of the asbestos removal work.

The ARP violates OAC 3745-20-04(B)(1) in that the owner or operator did not have at least one authorized representative, trained in the provisions of the asbestos NESHAP, present at the location of operation.

The ARP violates OAC 3745-20-04(A)(6)(a) and 40 CFR 61.145(c)(3) and 40 CFR 61.145(c)(6)(i) in that the material was neither adequately wet upon removal, nor remained adequately wet until collected and contained.

The ARP violates OAC Rule 3745-20-05(B)(1)(b) and 40 CFR 61.150(a)(1)(ii) in that visible emissions were discharged to the outside air.

The ARP violates OAC 3745-20-05(E) and (F) and 40 CFR 61.150(d)(1) in that the waste generator could not display waste shipment records.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Mary Pappadakes submit a copy of the waste shipment records and provide assurance that future demolition and renovation projects



will be conducted in full compliance with NESHAP rules. The requested information should be sent to the following enforcement representative:

Mike Samec
Cleveland Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080

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.

Sincerely,

George Baker
Chief of Enforcement, CDAQ
GB/ms

cc: David Barlow, U.S. EPA Criminal Investigation Division
Richard Nemeth and Michael J. Krzywicki, CDAQ
Josh Koch, Ohio Department of Health
Sharon Danann, Occupational Safety & Health Administration
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Enforcement\Asbestos\2214 Wooster Road Rocky River\2006-12-26 NOV.doc

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mary Pappadakes
 22875 Lapamie Dr
 Rocky River, OH 44116

2. Article Number
(Transfer from service label)

7002 2030 0001 1808 3386

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Mary Pappadakes* Agent
 Address

B. Received by, (Printed Name)

C. Date of Delivery

11/4/22

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchand.
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes