



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
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 7009 3410 0002 1933 7564
RETURN RECEIPT REQUESTED

June 2, 2011

Victor Anzalone
Poise Entertainment Education Co.
2625 East 79th Street
Cleveland, Ohio 44104

NON-HPV

FACILITY ID: CL 11 448
NOTICE OF VIOLATION: NESHAP VIOLATIONS

Dear Mr. Anzalone:

On May 19, 2011, the Cleveland Division of Air Quality (CDAQ) inspected the former Van Dorn Complex located at 2685 East 79th Street in Cleveland. 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).

Poise Entertainment Education Co. (Poise) violated 40 CFR Part 61.145(c)(1) and OAC Rule 3745-20-04(A)(1) for failing to remove all Regulated Asbestos Containing Material (RACM) prior to the facility being demolished. [Observed on May 19, 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 Poise submit a revised Notification of Demolition and Renovation and an updated survey to the following enforcement representative:

Mike Samec
Cleveland Division of Air Quality
75 Erieview Plaza 2nd 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 for CL 11 448.

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

**CERTIFIED MAIL 7009 3410 0002 1933 7595
RETURN RECEIPT REQUESTED**

June 8, 2011

Victor Anzalone
Poise Entertainment Education Co.
2625 East 79th Street
Cleveland, Ohio 44104

**FACILITY ID: CL 11 448
NOTICE OF VIOLATION: FOLLOW-UP LETTER**

Dear Mr. Anzalone:

On June 2, 2011, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Poise Entertainment Education Co. (Poise) to submit a revised Notification of Demolition and Renovation and an updated survey. CDAQ is in receipt of a corrective action plan dated June 6, 2011.

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 CL number for CL 11 448.

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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