



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 4604
RETURN RECEIPT REQUESTED

December 17, 2007

Michael Pierce
Alpha-Omega Environmental
4050 East 116th Street
Cleveland, Ohio 44105

**FACILITY: YOUNG ISRAEL OF GREATER CLEVELAND
NOTICE OF VIOLATION: NOTIFICATION, ASBESTOS, AND EMISSIONS VIOLATION**

Notification No. Cl 08 106

Dear Mr. Pierce:

On December 7, and 10, 2007, the Cleveland Division of Air Quality (CDAQ) inspected Young Israel of Greater Cleveland at 14141 Cedar Road located in South Euclid. An incomplete Notification of Demolition and Renovation was submitted for this project. This letter serves as notification that you are operating/have operated an asbestos demolition project (ADP) in violation of the following applicable air statutes, air regulations, or air permit conditions.

Demolition 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 ADP violated OAC 3745-20-03(A)(4)(g), 3745-20-03(E), and 40 CFR 61.145(b)(4) for failing to properly notify CDAQ of the amounts of ACM being removed, corrective procedures of removal, and the name and title of the person submitting the notification on November 21, 2007.

The ADP violated OAC 3745-20-04(A)(2)(a), 3745-20-04(A)(6)(a), 40 CFR 61.145(c)(2)(i), and 40 CFR 61.145(c)(3) in that the RACM was neither adequately wet upon removal nor remained adequately wet.

The ADP violated OAC 3745-20-04(A)(4)(a), 40 CFR 61.145(c)(4), and 40 CFR 61.145(c)(6) in that no control methods were used when removing or storing all RACM.

The ADP violated OAC 3745-20-05(B)(1)(b), OAC 3745-20-05(B)(1)(c), 40 CFR 61.150(a)(1)(ii), and 40 CFR 61.150(a)(1)(iv) in that visible emissions were discharged to the outside air, no asbestos waste was adequately wet, ACM were not sealed in leak tight containers, and no labels were on the containers.



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. Subsequent to the inspection, the information missing from the original notification was provided to CDAQ. CDAQ requests that Michael Pierce submit a corrective action letter, final clearance results, 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: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\Young Israel of Greater
Cleveland\2007-12-17 NOV.doc

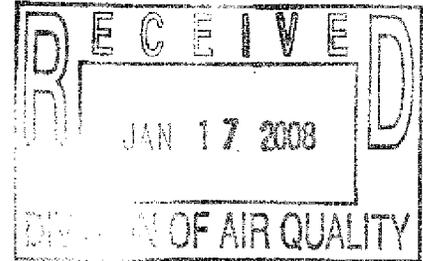


ALPHA-OMEGA ENVIRONMENTAL COMPANY

A DIVISION OF ALPHA-OMEGA CHEMICAL COMPANY

December 26, 2007

Mike Samec
Cleveland Division of Air Quality
1925 St. Clair Avenue
Cleveland, OH 44144-2080



Dear Mr. Samec:

Alpha Omega has received your December 17, 2007 **"Notice of Violation Letter"** regarding possible violations of applicable air statuses, and regulations, and/or any permit condition. I shall respond to each notice of violation.

- Alpha-Omega was told of an incomplete notification and immediately came down to your office and made the proper entries for a completed notification. This action was taken immediately upon being informed of the error in the notification.
- Alpha-Omega refuted the statement that the RACM was not adequately wet during the removal process. However, because doing our initial walk-thru we were able to remove many of the tiles by hand we assumed that the floor tile would meet the criteria of Cat. I Non-friable and remove them that way as a Cat. I Non-friable, no notification is required.
- Again, Alpha-Omega considered the floor tile as Cat. I Non-friable, it was removed without any controls, other than wetting the tile with a fine mist of water.
- Alpha-Omega denies that OAC 3745-20-05(B) (1) (b) and OAC 3745-20-05(B) (1) (c) were violated. No visible emissions were discharged to the outside air during the removal process because the tile was, for the most part, removed without excessive breakage, and because AOCC considered the material Cat. I Non-friable, no sealant was necessary.

AOCC assures the CDAQ that it has always tried to conduct its abatement project in full compliance with NESHAP rules and will make every effort to perform any abatement project in compliance in the future.

Enclosed you will find a copy of the final clearance results. Should you have any questions, please contact me at (216) 475-7744.

Sincerely, 

Michael L. Pierce
On behalf of Alpha-Omega Environmental

L & S CONSULTING, INC.
P.O. BOX 202354
SHAKER HTS., OHIO 44120
OFFICE PHONE # (216) 496.7272

Microscopist/ Microbiologist
AHES

E-mail lsconsultenviro@aol.com

MONTH _____ **YEAR** **2007**

CLIENT

Alpha Omega Environmental, Inc.
4050 East 116th St.
Cleveland, OH 44105

DATE RECEIVED 12.7.2007
JOB NUMBER
REPORT NUMBER A7120711

PROJECT LOCATION

14141 Cedar Rd.
South Euclid, OH 44121

Basement areas

LABORATORY REPORT - AIR SAMPLING FOR FIBERS

DATE	12.6.2007	12.6.2007	12.6.2007	12.6.2007		
I.D. #	A-711	A-712	A-713	FB/LB		
PUMP	Sen-1	Sen-1	Sen-1	---		
FLOW (L/min)	2.0	2.0	2.0	---		
START	9:30	10:15	1:00	---		
STOP	10:05	12:30	4:00	---		
DURAT. (min)	35	135	180	---		
SAMP/L	70	270	360	---		
FIBERS/FIELD	09/100	06/100	13/100	---		
CONC. F/CC	0.063	0.011	0.018	---		

I.D. #	DESCRIPTION	F/CC
A-711	Excursion air test on Floyd Reese	0.063
A-712	Personal air test on Floyd Reese	0.011
A-713	Personal air test on Floyd Reese	0.018
FB/LB	FB 01/100 LB 01/100	---

SAMPLE ANALYSIS DATA

Taken By	M. Pierce	NIOSH Test Method	7400A
Performed By	F. Woods, Lab	Fibers/Field Q.C. Blank	00/100

Comments Floor tile removal

Reviewed & Approved By

F. Woods

Completion Date

12.10.2007

L & S CONSULTING, INC.
P.O. BOX 202354
SHAKER HTS., OHIO 44120
OFFICE PHONE # (216) 496.7272

Microscopist/ Microbiologist
AHES

E-mail lsconsultenviro@aol.com

MONTH _____ **YEAR** **2007**

CLIENT

Alpha Omega Environmental, Inc.
4050 East 116th St.
Cleveland, OH 44105

DATE RECEIVED 12.10.2007
JOB NUMBER
REPORT NUMBER A7121011

PROJECT LOCATION

14141 Cedar Rd.
South Euclid, OH 44121

Basement areas

LABORATORY REPORT - AIR SAMPLING FOR FIBERS

DATE	12.10.2007	12.10.2007	12.10.2007	12.10.2007		
I.D. #	A-011	A-012	A-013	Control		
PUMP	HV-1	HV-3	HV-2	Blank		
FLOW (L/min)	15.0	15.0	15.0	---		
START	3:10pm	3:10pm	3:10pm	---		
STOP	4:50pm	4:50pm	4:50pm	---		
DURAT. (min)	100	100	100	---		
SAMP/L	1500	1500	1500	---		
FIBERS/FIELD	09/100	12/100	10/100	00/100		
CONC. F/CC	0.003	0.004	0.003	---		

I.D. #	DESCRIPTION	F/CC
A-011	Final air clearance test in basement area	0.003
A-012	Final air clearance test in basement area	0.004
A-013	Final air clearance test in basement area	0.003
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 Floor tile removal

Reviewed & Approved By



Completion Date

12.11.2007

WASTE SHIPMENT RECORD		DOCUMENT NUMBER:	TICKET NUMBER
1. Facility name and mailing address Young Israel of Greater Cleveland 14441 Cedar Rd. South Euclid, OH 44121		Owner's name South Euclid Contact: Paul Kowalczyk	Owner's telephone no. (216) 381-0400 Owner's fax no.
2. Operator's name and address Alpha-Omega Chemical Co 4050 E. 116th St. Cleveland, OH 44105		Operator's telephone no. (216) 475-7740 Operator's fax no. (216) 916-0597	
G E N E R A T O R	3. Waste disposal site (WDS) name, mailing address, and physical site location Minerva Enterprises, Inc. P.O. Box 709 9000 Minerva Road Waynesburg, OH 44688		WDS telephone no. 330-866-3435 WDS fax no. 330-866-3488
	4. Name and address of responsible agency (Local, District, State, or EPA Office where notification was sent) City of Cleveland Dept of Environment 1925 St. Clair Ave. Cleveland, OH 44115		
	5. Description of materials Cat. I Non-Friable Asbestos	6. Containers No. 1 Type Dumpster	7. Total quantity cubic yd 30 yds
	8. Special handling instructions and additional information NONE		
9. OPERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.			
Printed/typed name & title Austin Speed		Signature Austin Speed	Month Day Year 12/10/2007
T R A N S P O R T E R	10. Name of Transporter 1 (Acknowledgement of receipt of materials) Cooper Disposal		
	Address, telephone no. and fax no. Twinsburg, OH 440-250-9800		Signature Printed/typed name & title
	11. Name of Transporter 2 (Acknowledgement of receipt of materials) NONE		
	Address, telephone no. and fax no.		Signature Printed/typed name & title
W D S	12. Discrepancy indication space		
	13. Waste disposal site owner or operator. Certification of receipt of asbestos materials covered by this manifest except as noted in item 12. Printed/typed name & title Signature Month Day Year 12/13/07		

White: Generator • Yellow: Transporter 1 • Pink: Transporter 2 • Gold: WDS • Blue: Contractor • Green: Generator Copy
(White, Yellow, Pink & Gold copies must remain attached until received by Facility!)



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Frank G. Jackson, Mayor

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SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7003 1010 0004 2923 3928
RETURN RECEIPT REQUESTED

January 17, 2008

Michael Pierce
Alpha-Omega Environmental
4050 East 116th Street
Cleveland, Ohio 44105

FACILITY ID: CL 08 106
NOTICE OF VIOLATION FOLLOW-UP LETTER

Dear Mr. Pierce:

On December 17, 2007, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Alpha-Omega Environmental to make proper corrections to the Notification of Demolition and Renovation Project located at Young Israel of Greater Cleveland, send copies of final air results, and assure that future abatement projects will be in full compliance with NESFLAP rules. CDAQ is in receipt of a corrective action plan, a copy of the waste manifest, and final air clearance test results, dated January 17, 2008.

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 for Young Israel of Greater Cleveland: CL 08 106.

Sincerely,

Valencia White
Field Enforcement Manager, CDAQ

VW/ms



cc: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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Greater Cleveland\2007-12-17 NEAR.doc