



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 7006 2760 0000 3705 3194
RETURN RECEIPT REQUESTED**

October 8, 2007

Ronald Krous
21356 Seabury Rd
Fairview Park, Ohio 44126

**NOTICE OF VIOLATION: ASBESTOS NOTIFICATION VIOLATION
FACILITY ID: 8700 Harvard Avenue, Cleveland, Ohio 44105**

Dear Mr. Krous:

On September 28, 2007, the Cleveland Division of Air Quality (CDAQ) inspected an abandoned building being demolished located at 8700 Harvard Avenue in Cleveland. This letter serves as notification that you are in violation of the following applicable air statutes and air regulations.

Renovation and demolition projects are subject to compliance with the Asbestos National Emissions Standard for Hazardous Air Pollutants (NESHAP), Title 40 Code of Federal Regulations (CFR) Part 61, the Ohio Administrative Code (OAC) Rule 3745-20, and the Cleveland City Ordinance Part II Chapter 277.

Mr. Krous you have violated these terms by failing to submit a written notice of intention ten days prior to the demolition of 8700 Harvard Avenue which was discovered on September 28, 2007. You are also in violation of the Ohio Revised Code (ORC) 3704.05 (G).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that you submit a notification and written assurance that future renovation or demolition projects will comply with all applicable rules & regulations to the following enforcement representative:

Mike Samec
Cleveland Division of Air Quality
1925 St. Clair Avenue NE
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. All correspondence with CDAQ must include the site number 8700 Harvard Avenue.

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
Julianne Kurdila, Cleveland Law Department
Roselyn C. Safier, Property Owner
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8700 HARVARD AVENUE LLC

8700 HARVARD AVENUE
CLEVELAND, OHIO 44105
PHONE (216) 341-8700

November 2, 2007

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

Dear Mike:

Per your letter, we are providing a synopsis of events regarding the dismantling of the vacant building in our parking lot.

Vandals broke into this building and cut water lines and stripped out wiring for their copper content. The basement flooded, and because this building was vacant, we did not discover the vandalism until an appreciable amount of damage had been done. We shut off water and power to the building, pumped out the basement and boarded up the building.

We had an environmental services company do an environmental survey if we eventually chose to dismantle the building. You have a copy of this report. This company found no environmental concerns.

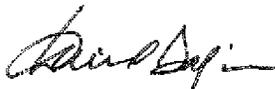
I received a business card one day from Robert Horley who represented the Parma Historical Society. He took a tour of the building and apparently because of its state, he was not interested in attempting to preserve it. He contacted the Cleveland Historical Society on our behalf. They also surveyed the building and likewise, were not interested in it.

At this point, as there was apparently no interest in preserving it, we determined that the building was a liability and contracted with Ronald Krous to dismantle it. We believed that Mr. Krous had secured the proper documents relative to the dismantling of the building. It was only upon your visit that we were made aware that the proper paperwork was not in order. Because our intention was always to be in compliance with all laws and regulations, we immediately contracted with Scott Miles of Miles Construction to oversee the proper permitting and completion of this project.

Please advise us as to what further measures need to be taken so we may continue dismantling the building.

Yours truly,

8700 Harvard Avenue LLC


David Safier, Manager

DS:bd

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