



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue Plaza, Suite 200
Cleveland, Ohio 44114-1839
216/654-2297 • Fax: 216/420-8047
www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL : 7009 3410 0002 1934 1714
RETURN RECEIPT REQUESTED

May 11, 2011

Fr. John Ojaimi
St. George Orthodox Church
2587 West 14th Street
Cleveland, Ohio 44113

NOTICE OF VIOLATION: Asbestos NESHAP Violation

Dear Fr. Ojaimi:

On April 13 and 14, 2011, the Cleveland Division of Air Quality (CDAQ) inspected 1205 Starkweather Avenue in Cleveland in response to a complaint received. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Demolition and 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, the Ohio Administrative Code (OAC) Rule 3745-20, and the Ohio Revised Code (ORC) Chapter 3704.05(G).

St. George Orthodox Church violated 40 CFR Part 61.145(a) and OAC Rule 3745-20-02(A) for failing to thoroughly inspect the affected facility where the demolition or renovation operation occurred for the presence of asbestos, including Category I and Category II nonfriable Asbestos Containing Materials.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that St. George Orthodox Church submit a corrective action plan to the following enforcement representative within thirty (30) days of your receipt of this letter:

Bryan Sokolowski
Cleveland Division of Air Quality
75 Erievue Plaza 2nd Floor
Cleveland, Ohio 44114-1839



The corrective action plan must include, but need not be limited to:

1. Perform and submit to CDAQ an asbestos survey for 1205 Starkweather Avenue.
2. Submit an "Ohio Environmental Protection Agency (EPA) Notification of Demolition and Renovation" to CDAQ at least 10 working days before demolition begins.

If there is insufficient time to correct the alleged violations within this timeframe, a written response must be received within thirty (30) days of your receipt of this letter that includes 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 Bryan Sokolowski at (216) 420-7663.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/BS

cc: John Fedal, St. George Orthodox Church
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\1205 Starkweather\2011-4-14
NOV.docx

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ 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. 	A. Signature 	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: Fr. John Ojaimi St. George Orthodox Church 2587 West 14 th Street Cleveland, Ohio 44113	B. Received by (Printed Name) PUSCILLIAYIOS	C. Date of Delivery 5/17/11
2. Article Number (Transfer from s)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7009 3410 0002 1934 1714		

St. George Orthodox Church
2587 West 14th Street
Cleveland, Ohio 44113-4487
216-781-9020

May 31, 2011

Bryan Sokolowski
Cleveland Division of Air Quality
75 Erieview Plaza 2nd flr
Cleveland, OH 44114-1839

RECEIVED

JUN 1 2011

Subj: response: Notice of Violation 1205 Starkweather

Dear Mr. Sokolowski:

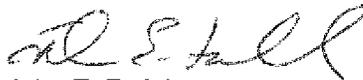
Per our past discussion, we are retaining Westport Builders, including Tom and Pete Leneghan for the purpose of developing the property owned by the Church at 1205 Starkweather. I appreciate that they did not include the referred to forms required by your department and I want you to be assured that they intend to complete the proper applications with their permit. At this time, and per your requirement, they have ceased all work at the site pending compliance with your letter. However, and per your letter, I would like to request the 30 day extension to comply with all aspects.

Please note that we have started the process. Attached is the letter from Getco Environmental Consultants as to their initial an asbestos survey. The reports from such inspection and the City forms will be made available to you as soon as received.

Thank you for your consideration and requested extension. We hope to have all contract completed within that timeframe and have full confirmation that no asbestos is being or has been disturbed at the property.

As I will be handling this for the church, please feel free to contact me (216-469-4724) with any questions.

Sincerely,



John E. Fadel
Property Committee Co-Chairman
St. George Orthodox Church

Cc: Fr. John Ojaimi



GETCO
ENVIRONMENTAL CONSULTANTS

1836 West 25th Street

Cleveland, Ohio 44113

216 522-1850 Fax 566-9996

Westport Builders
Attn.: Mr. Pete Leneghan
812 College Avenue
Cleveland, Ohio 44113

May 23, 2011

RE: *Notice of Violation: Asbestos NESHAP Violation*
1205 Starkweather Avenue, Cleveland, Ohio
GETCO, Inc. Project #2011064G

Dear Mr. Leneghan:

The following is in response to the "Asbestos NESHAP Violation" letter from the Cleveland Division of Air Quality (CDAQ), dated May 11, 2011.

On May 17, 2011, GETCO, Inc. representative Justin Tanner (Ohio Certified Asbestos Hazard Evaluation Specialist #34839) conducted an asbestos survey of the 1205 Starkweather Avenue, Cleveland, Ohio. The survey was performed in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAPs) regulations. The purpose of the inspection was to determine the asbestos content of building materials in preparation for renovation /demolition of the structure.

Upon receipt of the asbestos analytical results, a "An Ohio Environmental Protection Agency Notification of Demolition and Renovation" form will be submitted to the required agencies. If asbestos abatement is necessary, the abatement will be conducted in accordance with OSHA and NESHAP requirements.

GETCO, Inc. appreciates the opportunity to provide our services to you. If you have any questions or require additional assistance, please do not hesitate to call our office.

Sincerely,

GETCO, Inc.

Thomas E. Gillespie
President/Principal Geologist
CAHES #33003



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL : 7009 3410 0002 1934 0083
RETURN RECEIPT REQUESTED

June 8, 2011

Fr. John Ojaimi
St. George Orthodox Church
2587 West 14th Street
Cleveland, Ohio 44113-4487

RECEIPT OF CORRECTIVE ACTION PLAN: ASBESTOS NESHAP VIOLATION

Dear Fr. Ojaimi:

On May 11, 2011, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that St. George Orthodox Church perform and submit to CDAQ an asbestos survey for 1205 Starkweather Avenue, and submit an "Ohio Environmental Protection Agency (EPA) Notification of Demolition and Renovation" to CDAQ at least 10 working days before demolition begins.

CDAQ is in receipt of a response letter dated May 31, 2011, requesting a thirty (30) day extension to address the alleged violations. CDAQ grants the thirty (30) day extension. You are expected to submit the required documents by July 6, 2011. Failure to do so may result in referral to Ohio EPA or U.S. EPA for further enforcement action. Fulfillment of your commitments included in the corrective action plan and/or any modifications contained within this letter does not constitute a waiver of CDAQ's ability to refer this matter to Ohio EPA or U.S. EPA for further enforcement action. Please submit any future correspondence related to this matter to the following enforcement representative:

Bryan Sokolowski
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

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 Bryan Sokolowski at (216) 420-7663.

Sincerely,

Linda Kimmy

Linda Kimmy
Field Enforcement Manager, CDAQ



LK/BS

cc: John Fadel, St. George Orthodox Church
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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Starkweather\2011-4-14 RCAP.docx



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Frank G. Jackson, Mayor

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Division of Air Quality
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SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL : 7009 3410 0002 1934 0137
RETURN RECEIPT REQUESTED

June 20, 2011

Fr. John Ojaimi
St. George Orthodox Church
2587 West 14th Street
Cleveland, Ohio 44113-4487

NOTICE OF VIOLATION FOLLOW-UP LETTER

Dear Fr. Ojaimi:

On May 11, 2011, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring St. George Orthodox Church to perform and submit to CDAQ an asbestos survey for 1205 Starkweather Avenue, and submit an "Ohio Environmental Protection Agency (EPA) Notification of Demolition and Renovation". CDAQ is in receipt of an asbestos survey and completed "Ohio EPA Notification of Demolition and Renovation" for 1205 Starkweather Avenue dated June 13, 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 Bryan Sokolowski at (216) 420-7663.

Sincerely,

A handwritten signature in cursive script that reads "Linda Kimmy".

Linda Kimmy
Field Enforcement Manager, CDAQ

LK/BS

cc: John Fadel, St. George Orthodox Church
John Paulian, Ohio EPA Central Office



William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\1205
Starkweather\2011-4-14 NEAR.docx

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

Fr. John Ojaimi
 St. George Orthodox Church
 2587 West 14th Street
 Cleveland, Ohio 44113-4489

2. Article Number
(Transfer from S)

7009 3410 0002 1934 0083

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

Fr. John Ojaimi

C. Date of Delivery

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 Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes