



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 4000
RETURN RECEIPT REQUESTED**

May 24, 2007

John Savage
Precision Environmental Company
5500 Old Brecksville Road
Independence, Ohio 44131

NOTICE OF VIOLATION: ASBESTOS REMOVAL VIOLATIONS

**FACILITY ID: CL 07 119
SECOND NOTICE OF VIOLATION LETTER**

Dear Mr. Savage:

On March 20, 2007, the Cleveland Division of Air Quality (CDAQ) inspected Former St. Luke's Hospital located in Cleveland. This letter serves as notification that you have operated 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, and the Ohio Administrative Code (OAC) Rule 3745-20.

The ARP violates 40 CFR 61.150(a)(1) and OAC 3745-20-05(B)(1)(a) because pipe insulation was not adequately wet enough to prevent asbestos fibers to escape into the atmosphere when transported to the lined dumpster and stored in the lined dumpster.

The ARP violates 40 CFR 61.150(a)(1)(iii) and OAC 3745-20-05(B)(1)(c) because pipe insulation was sticking out of the sealed containers allowing the potential for asbestos fibers to escape into the atmosphere when stored in the lined dumpster.

The ARP violates 40 CFR 61.145(c)(6)(ii) and OAC 3745-20-05(A)(2) because dust was observed once Category I floor tile became RACM when it was dropped from five to six feet in the air into the dumpster from the tow motor.

This is the second Notice of Violation letter being sent out to Precision Environmental Company. Failure to undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Precision Environmental Company submit a corrective action plan 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.

The appropriate permit application(s) and supplemental form(s) are included with this letter. Please note that all permit application(s) submitted to CDAQ must include original signatures. Photocopied signatures are not valid; the application will not be accepted by CDAQ and will be returned to you if original signatures are not provided.

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 216-420-8047. All correspondence with CDAQ must include the Ohio EPA facility identification number for Former St. Lukes Hospital: CL 07 119.

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
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