



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erievue Plaza, Second Floor  
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 7000 0600 0022 4716 6252  
RETURN RECEIPT REQUESTED

January 24, 2012

Edward Rumph  
Lee Environmental  
11212 Avon Ave.  
Cleveland, Ohio 44105

NON-HPV

FACILITY ID: CL 12 356  
NOTICE OF VIOLATION: NESHAP VIOLATIONS

Dear Mr. Rumph:

On January 4, 6, and 9, 2012, the Cleveland Division of Air Quality (CDAQ) inspected 3732 East 71<sup>st</sup> 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).

Lee Environmental violated 40 CFR Part 61.145(c)(2)(ii) and OAC Rule 3745-20-04(A)(2)(b) for dropping the transite paneling which became RACM during the removal process. [Observed on January 4, 2012]

Lee Environmental violated 40 CFR 61.145(c)(4) and (6) and OAC Rule 3745-20-04(A)(4) and (6) for the failure to use a local exhaust ventilation and collection system and failed to adequately wet the RACM during the removal of the RACM. [Observed on January 4, 2012]

Lee Environmental violated 40 CFR 61.150(a)(1)(iii) and OAC Rule 3745-20-05(B)(1)(c) for the failure to wet and seal all asbestos-containing waste material in leak-tight containers while wet. [Observed on January 4, 2012]

CDAQ recognizes that Lee Environmental took remedial actions to correct the violations after they were informed of them. CDAQ requests that Lee Environmental submit a plan for future demolition or renovation projects addressing the following issues:

- How damage to the RACM will be avoided as it is being removed from the building as units or sections also known as intact removal



- How visible emissions will be controlled if RACM will be stripped from the building while it remains in place

The plan shall be submitted to the following enforcement representative:

Mike Samec  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> 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 CL 12 356.

Sincerely,

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  
Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\Cuyahoga  
County Land Bank\3732 East 71st\NOV 2012-01-04.docx



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SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7011 3500 0000 1759 5262  
RETURN RECEIPT REQUESTED

April 5, 2012

Edward Rumph  
Lee Environmental  
11212 Avon Ave.  
Cleveland, Ohio 44105

**FACILITY ID: CL 12 356**  
**RECEIPT OF CORRECTIVE ACTION PLAN**

Dear Mr. Rumph:

On January 13, 2012, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Lee Environmental to address the asbestos violations that occurred at 3732 East 71<sup>st</sup> during removal. CDAQ is in receipt of a corrective action plan and respiratory protection program dated March 22, 2012, stating that Lee Environmental corrected all the asbestos violations listed in the Notice of Violation.

CDAQ request copies of all employee signatures who have agreed to the asbestos abatement plan. CDAQ also requests a copy of all employee signatures for the respiratory protection plan. You are expected to comply with submitting requested copies by April 23, 2012.

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 CL number CL 12 356.

Sincerely,

*Valencia White for VW*  
Valencia White  
Chief of Enforcement, CDAQ  
VW/ms

cc: John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\Cuyahoga  
County Land Bank\3732 East 71st\2012-01-04 RCAP.docx

# **LEE ENVIRONMENTAL CLEANING, INC.**

## **RESPIRATORY PROTECTION PROGRAM**

### **PURPOSE**

The purpose of this respirator program is to establish standard operating procedures to ensure the protection of all employees from respiratory hazards through proper selection and use of respirators. This program applies to all employees who are required to wear respirators during normal operations, non-routine tasks, or emergency operations such as a spill of a hazardous substance.

### **RESPONSIBILITIES**

#### **Program Administrator Duties**

Kenneth McElroy

This facility has designated \_\_\_\_\_ as the program administrator to oversee the respiratory protection program. Duties of the program administrator include:

- Identifying work areas, processes or tasks that require workers to wear respirators, and evaluating hazards
- Selection of respiratory protection options
- Monitoring respirator use to ensure that respirators are used in accordance with their certifications
- Arranging for and/or conducting training
- Ensuring proper storage and maintenance of respiratory protection equipment
- Conducting or arranging for fit testing
- Administering the medical surveillance program
- Maintaining records required by the program
- Evaluating the program
- Updating written program as needed

## **Supervisors Duties**

Supervisors are responsible for ensuring that the respiratory protection program is implemented in their particular areas. In addition to being knowledgeable about the program requirements for their own protection, supervisors must also ensure that the program is understood and followed by the employees under their charge. Duties of the supervisor include:

- Ensuring that employees under their supervision (including new hires) have received appropriate training, fit testing, and medical evaluation
- Ensuring the availability of appropriate respirators and accessories
- Being aware of tasks requiring the use of respiratory protection
- Enforcing the proper use of respiratory protection when necessary
- Ensuring that respirators are properly cleaned, maintained, and stored according to the respiratory protection plan
- Ensuring that respirators fit well and do not cause discomfort
- Continually monitoring work areas and operations to identify respiratory hazards
- Coordinating with the program administrator on how to address respiratory hazards or other concerns regarding the program

## **Employees Duties**

Each employee has the responsibility to wear his or her respirator when and where required and in the manner in which they were trained. Employees must also:

- Care for and maintain their respirators as instructed and store them in a clean sanitary location
- Inform their supervisor if the respirator no longer fits well, and request a new one that fits properly
- Inform their supervisor or the Program administrator of any respiratory hazards that they feel may not be adequately addressed in the workplace and of any other concerns that they have regarding the program

## PROGRAM ELEMENTS

### Respirator Selection

Respirators are selected on the basis of the hazards to which the employees are exposed and in accordance with OSHA requirements. Only NIOSH certified respirators will be selected and used.

The Program Administrator will conduct a hazard evaluation for each operation process, or work area where airborne contaminants may be present in routine operations or during an emergency. ***The hazard evaluation will include:***

- Identification of the hazardous substances used in the workplace, department or work process;
- Review of work processes to determine where potential exposures to these hazardous substances may occur; and
- Exposure monitoring to quantify potential hazardous exposures.

The results of the hazard evaluation are located at **11212 Avon Avenue, Cleveland, OH 44105** for employee review.

The program administrator will revise and update the hazard assessment as needed (i.e., any time work process changes which may potentially affect exposure).

### ***General requirements***

- The employer shall select and provide an appropriate respirator based on the respiratory hazard(s) to which the worker is exposed and workplace and user factors that affect respirator performance and reliability.
- The employer shall select a NIOSH-certified respirator. The respirator shall be used in compliance with the conditions of its certification.
- The employer shall identify and evaluate the respiratory hazard(s) in the workplace; this evaluation shall include a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form. Where the employer cannot identify or reasonably estimate the employee exposure, the employer shall consider the atmosphere to be IDLH.
- The employer shall select respirators from a sufficient number of respirator models and sizes so that the respirator is acceptable to, and correctly fits, the user.

## ***Respirators for Immediately Dangerous to Life and Health (IDLH) atmospheres***

- The employer shall provide the following respirators for employee use in IDLH atmospheres:
  - A full facepiece pressure demand SCBA certified by NIOSH for a minimum service life of thirty minutes, or
  - A combination full facepiece pressure demand supplied-air respirator (SAR) with auxiliary self-contained air supply.
- Respirators provided only for escape from IDLH atmospheres shall be NIOSH-certified for escape from the atmosphere in which they will be used.
- All oxygen-deficient atmospheres shall be considered IDLH. Exception: If the employer demonstrates that, under all foreseeable conditions, the oxygen concentration can be maintained within the ranges specified in Table II of this section [29 CFR 1910.134(d), i.e., for the altitudes set out in the table], then any atmosphere-supplying respirator may be used.

## ***Respirators for atmospheres that are not IDLH***

- The employer shall provide a respirator that is adequate to protect the health of the employee and ensure compliance with all other OSHA statutory and regulatory requirements, under routine and reasonably foreseeable emergency situations.

## **NIOSH Certification**

All respirators must be certified by the National Institute for Occupational Safety and Health (NIOSH) and shall be used in accordance with the terms of that certification. Also, all filters, cartridges, and canisters must be labeled with the appropriate NIOSH approval label. The label must not be removed or defaced while it is in use.

## **Voluntary Respirator Usage**

This company will provide (or allow employee-owned) respirators to employees for voluntary usage. The Program Administrator will provide all employees who voluntarily choose to wear either of the above respirators with a copy of Appendix D of the standard. (Appendix D details the requirements for voluntary use of respirators by employees.) Employees choosing to wear a half facepiece air purifying respirators (APR) must comply with the procedures for medical evaluation, respirator use, and cleaning, maintenance and storage.

The Program Administrator shall authorize voluntary use of respiratory protective equipment as requested by all other workers on a case-by-case basis, depending on specific workplace conditions and the results of the medical evaluations.

### **Respirator Filter & Canister Replacement/Change Schedule**

An important part of the Respiratory Protection Program includes identifying the useful life of canisters and filters used on air purifying respirators. Each filter and canister shall be equipped with an end-of-service-life indicator (ESLI) certified by NIOSH for the contaminant; or

If there is no ESLI appropriate for conditions a change schedule for canisters and cartridges that is based on objective information or data that will ensure that canisters and cartridges are changed before the end of their service life.

**Cartridges/Filters shall be changed** based on the most limiting factor below:

- Prior to expiration date
- Manufacturer's recommendations for use and environment
- After each use
- When requested by employee
- When restriction to air flow has occurred as evidenced by increased effort by user to breathe normally

### **Medical Evaluation**

Employees who are required to wear respirators must be medically evaluated before being permitted to wear a respirator on the job. Employees are not permitted to wear respirators until a physician has determined that they are medically able to do so.

A licensed health care professional will provide the medical evaluation to employees. Medical evaluation procedures are as follows:

- The medical evaluation will be conducted using medical questionnaire provided in Appendix C of 29 CFR 1910.134 Respiratory Protection Standard. The Safety Administrator will provide a copy of this questionnaire to all employees requiring medical evaluation.
- To the extent feasible, the company will assist employees who are unable to read the questionnaire. When this is not possible the employee will be sent directly to the health care professional for assistance and medical evaluation.
- All affected employees will be given a copy of the medical questionnaire to fill out, along with a stamped and addressed envelop for mailing the questionnaire to the health care professional. Employees will be permitted to fill out the questionnaire on company time.

- Follow up medical exams will be provided to employees as required by the OSHA standard, and/or as deemed necessary by the health care professional.
- All employees will be allowed the opportunity to speak with the health care professional about their medical evaluation if they so request.
- The program administrator will provide the health care professional with a copy of this program and a copy of OSHA's respiratory protection standard. For each employee requiring evaluation, the health care professional will be provided with information regarding the employee's work area or job title, proposed respirator type and weight, length of time required to wear the respirator, expected physical work load (light, moderate, or heavy), potential temperature and humidity extremes, and any additional protective clothing required.
- After an employee has received clearance to wear a respirator, additional medical evaluations will be provided under any of the following circumstances:
  - The employee reports signs and/or symptoms related to their ability to use a respirator, such as shortness of breath, dizziness, chest pains, or wheezing;
  - The health care professional or supervisor informs the Program Administrator that the employees needs to be reevaluated;
  - Information from this program, including observations made during fit testing and program evaluation, indicates a need for reevaluation; and
  - A change occurs in workplace conditions that may result in an increased physiological burden on the employee.

NOTE: All examinations and questionnaires are to remain confidential between the employee and the physician.

### **Fit Testing Procedures**

The Safety Administrator will ensure that fit-test will be administered using an OSHA-accepted qualitative fit test (QLFT) or quantitative fit test (QNFT) protocol. The OSHA-accepted QLFT and QNFT protocols are contained in Appendix A of the Respiratory Standard (1910.134).

**LEE ENVIRONMENTAL CLEANING, INC.** requires employees to be fit tested at the following times and with the same make, model, style, and size of respirator that they will be using.

- Before being allowed to wear any respirator with a tight-fitting facepiece and at least annually thereafter;

- Whenever a different respirator facepiece (size, style, model, or make) is used;
- Whenever visual observations of changes in the employee's physical condition that could affect respirator fit. Such conditions include, but are not limited to, facial scarring, dental changes, cosmetic surgery, or an obvious change in body weight; and
- Upon employee notification that the fit of the respirator is unacceptable.

The company has established a record of the fit tests administered to employees including:

- The name or identification of the employee tested;
- Type of fit test performed;
- Specific make, model, style, and size of respirator tested;
- Date of test; and
- The pass/fail results

## **Use of Respirators**

### ***General Use Procedures***

Employees will use their respirators under conditions specified by this program, and in accordance with the training they receive on the use of each particular model. In addition, the respirator shall not be used in a manner for which it is not certified by NIOSH or its manufacturer.

All employees shall conduct user seal checks each time that they wear their respirator. Employees shall use either the positive or negative pressure check (depending on which test works best for them) specified in Appendix B-1 of the Respiratory Protection Standard.

All employees shall be permitted to leave the work area to maintain their respirator for the following reasons: to clean their respirator if the respirator is impeding their ability to work, change filters or cartridges, replace parts, or to inspect respirator if it stops functioning as intended. Employees should notify their supervisor before leaving the area.

Employees are not permitted to wear tight fitting respirators if they have any condition, such as facial hair, facial scars, or missing dentures that prevents them from achieving a good seal. Employees are not permitted to wear headphones, jewelry, or other articles that may interfere with the facepiece to face seal.

## ***Emergency Procedures***

The following work areas have been identified as having foreseeable emergencies:

- Demolition and/or Abatement Worksites

Emergency escape respirators are located: N/A

## ***Immediately Dangerous to Life or Health (IDLH) Procedures***

- The Program Administrator has identified the following area(s) as presenting the potential for IDLH conditions: N/A

## ***Respirator Malfunction***

For any malfunction of a respirator (e.g., such a breakthrough, facepiece leakage, or improperly working valve), the respirator wearer should inform his or her supervisor that the respirator no longer functions as intended, and go to a safe area to maintain the respirator. The supervisor must ensure that the employee receives the needed parts to repair the respirator, or is provided with a new respirator.

## **Maintenance and Care Procedures**

In order to ensure continuing protection from the respirators being use, it is necessary to establish and implement proper maintenance and care procedures and schedules. A lax attitude toward maintenance and care will negate successful selection and fit because the devices will not deliver the assumed protection unless they are kept in good working order.

## ***Cleaning & Disinfecting***

Our company provides each respirator user with a respirator that is clean, sanitary, and in good working order. We ensure that respirators are cleaned and disinfected as often as necessary to be maintained in a sanitary condition. Respirators are cleaned and disinfected using the procedures specified in Appendix B-2 of the standard or manufacturer's recommendations.

Respirators are cleaned and disinfected:

- As often as necessary when issued for the exclusive use of one employee;
- Before being worn by different individuals;
- After each use for emergency use respirators; and
- After each use for respirators used for fit testing and training.

## ***Storage***

Storage of respirators must be done properly to ensure that the equipment is protected and not subject to environmental conditions that may cause deterioration. We ensure that respirators are stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals. They are packed and stored in secured plastic containers at 10205 Eliot Avenue, Cleveland, OH 44104, in accordance with any applicable manufacturer's instructions.

Emergency respirators are stored:

- To be accessible to the work area;
- In compartments marked as such; and
- In accordance with manufacturer's recommendations.

## ***Respirator Inspection***

All respirators will be inspected after each use and at least monthly. Should any defects be noted, the respirators will be taken to the program administrator or supervisor. Damaged respirators will be either repaired or replaced.

Respirators shall be inspected as follows:

- All respirators used in routine situations shall be inspected before each use and during cleaning;
- All respirators maintained for use in emergency situations shall be inspected at least monthly and in accordance with manufacturer's recommendations, and shall be checked for proper function before and after each use; and
- Emergency escape-only respirators shall be inspected before being carried into the workplace for use.

Respirator inspections shall include the following:

- A check of respirator function, tightness of connections, and the condition of the various parts including, but not limited to, the facepiece, head straps, valves, connecting tube, and cartridges, canisters or filters; and
- Check of elastomeric parts for pliability and signs of deterioration.

The following checklist will be used when inspecting respirators:

- Facepiece:
  - cracks, tears, or holes

- facemask distortion
- cracked or loose lenses/faceshield
- Headstraps:
  - breaks or tears
  - broken buckles
- Valves:
  - residue or dirt
  - cracks or tears in valve material
- Filters/Cartridges:
  - approval designation
  - gaskets
  - cracks or dents in housing
  - proper cartridge for hazard
- Air Supply Systems:
  - breathing air quality/grade
  - condition of supply hoses
  - hose connections
  - settings on regulators and valves

## Training

The Safety Administrator will be responsible to provide training to respirator training to respirator users or their supervisors on the contents of the Respiratory Protection Program and their responsibilities under it, and on the OSHA Respiratory Protection Standard. Workers will be trained prior to using a respirator in the workplace. Supervisors will also be trained prior to using a respirator in the workplace or prior to supervision of employees that must wear respirators.

### **The training will cover the following topics:**

- The **LEE ENVIRONMENTAL CLEANING, INC.** Respiratory Protection Program
- The OSHA Respiratory Protection Standard
- Respiratory hazards encountered and their health effects
- Proper selection and use of respirators
- Limitations of respirators

- Respirator donning and user seal (fit) checks
- Fit testing
- Emergency use procedures
- Maintenance and storage
- Medical signs and symptoms limiting the effective use of respirators

Employees will be retrained annually or as needed (e.g., if they need to use a different respirator). Employees must demonstrate their understanding of the topics covered in the training utilizing a hands-on exercise and a written test. Respirator training will be documented by the Program Administrator and the documentation will include the type, model, and size of respirator for which each employee has been trained and fit tested.

### **Program Evaluation**

The program administrator will conduct periodic evaluations of the workplace to ensure that the provisions of this program are being implemented. The evaluation will include regular consultations with employees who use respirators and their supervisors, site inspections, air monitoring and review of records.

Identified problems will be noted and addressed by the Program Administrator. These findings will be reported to management, and the report will list plans to correct deficiencies in the respirator program and target dates for the implementations of those corrections.

### **Documentation and Recordkeeping**

A written copy of this program and the OSHA standard is kept in the Program Administrator's office and is available to all employees who wish to review it.

Also maintained in the Program Administrator's office are copies of training and fit test records. These records will be updated as new employees are trained, as existing employees receive refresher training, and as new fit tests are conducted.

The Program Administrator will also maintain copies of the medical records for all employees covered under the respirator program. The completed medical questionnaire and the physician's documented findings are confidential and will remain at 10205 Eliot Avenue, Avon Avenue, Cleveland, OH 44104. The company will only retain the physician's written recommendation regarding each employee's ability to wear a respirator.

**LEE ENVIRONMENTAL CLEANING, INC.**

| VOLUNTARY AND REQUIRED RESPIRATOR USE              |  |
|--|--|
| RESPIRATOR   | DEPARTMENT/PROCESS   |
| <i>Filtering facepiece (dust mask)</i>             | <i>Voluntary use for warehouse workers</i>                     |
| <i>Half-facepiece APR or PAPR with P100 filter</i> | <i>Mandatory use for Demolition and/or Asbestos Abatement.</i> |
|  |  |
|  |  |
|  |  |

**LEE ENVIRONMENTAL CLEANING, INC.  
HAZARD ASSESSMENT**

*(12/01/2011)*

| Department                               | Contaminants              | Exposure Level (8 hrs TWA)        | PEL  | Control:   |
|--|---------------------------|-----------------------------------|--|--|
| <i>Asbestos Demolition and Abatement</i> | <i>wood dust</i>          | <i>2.5 - 7.0 mg/m<sup>3</sup></i> | <i>5 mg/m<sup>3</sup> (TLV = 1 mg/m<sup>3</sup>)</i> | <i>Local ex sanders with P100</i>                                    |
| <i>Asbestos Demolition and Abatement</i> | <i>methylene chloride</i> | <i>70 ppm</i>                     | <i>25 ppm<br/>125 ppm (STEL)</i>                     | <i>Local ex (LEV) to cleaning flow SAI needed protectic after LE</i> |
|  | <i>methanol</i>           | <i>150 ppm</i>                    | <i>200 ppm</i>                                       |  |
|  | <i>acetone</i>            | <i>400 ppm</i>                    | <i>1,000 ppm</i>                                     |  |
|  |                           |                                   |  |  |
|  |                           |                                   |  |  |
|  |                           |                                   |  |  |
|  |                           |                                   |  |  |



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
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FOR CUYAHOGA COUNTY

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RETURN RECEIPT REQUESTED

June 12, 2012

Edward Rumph  
Lee Environmental  
11212 Avon Ave.  
Cleveland, Ohio 44105

FACILITY ID: CL 12 356

RETURN TO COMPLIANCE  
NOTICE OF VIOLATION FOLLOW-UP LETTER

Dear Mr. Rumph:

On January 4, 6, and 9, 2012, the Cleveland Division of Air Quality (CDAQ) inspected 3732 East 71<sup>st</sup> 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.

On January 13, 2012, CDAQ issued a Notice of Violation requiring Lee Environmental to address asbestos violations that occurred at 3732 East 71<sup>st</sup> during the asbestos removal.

CDAQ is in receipt of a corrective action plan and respiratory protection program dated March 22, 2012, stating that Lee Environmental corrected all the asbestos violations listed in the Notice of Violation.

On April 5, 2012, CDAQ issued a Receipt of Corrective Action Plan (RCAP) requesting copies of all employee signatures who have agreed to the asbestos abatement plan and a copy of all employee signatures for the respiratory protection plan.

CDAQ is in receipt of an email dated May 9, 2012, of the signed compliance acknowledgements from Lee Environmental asbestos abatement policy.

CDAQ is in receipt of a hardcopy corrective action plan dated June 7, 2012, and the signed compliance acknowledgements from Lee Environmental asbestos abatement policy.

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 CL number CL 12 356.

Sincerely,

A handwritten signature in cursive script that reads "Valencia White".

Valencia White  
Chief of Enforcement, CDAQ

VW/ms LK

cc: John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
Cheryl Stephens, Cuyahoga County Land Bank  
Kenneth McElroy, Lee Environmental Cleaning, Inc.  
Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\Cuyahoga  
County Land Bank\3732 East 71st\2012-01-04 NEAR.docx

# LEE ENVIRONMENTAL CLEANING, INC.

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June 5, 2012

VIA U.S. Mail

Mr. Mike Samec, Enforcement Representative  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, OH 44114-1839



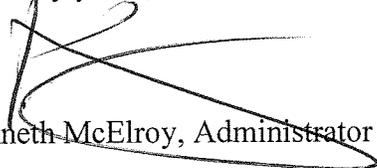
**Re: Facility ID: CD 12 356**

Dear Mr. Samec:

Please find signed compliance acknowledgements for Lee Environmental's Asbestos Abatement Policy.

Lee Environmental Cleaning is committed to adapting any and all of its procedures in conformance with EPA regulations and seeks any and all assistance and feedback from the Cleveland Division of Air Quality.

Sincerely yours,



Kenneth McElroy, Administrator

Lee Environmental Cleaning, Inc.

Attachments

## COMPLIANCE ACKNOWLEDGEMENT

**LEE ENVIRONMENTAL CLEANING, INC.** requires all asbestos abatement employees to attest and acknowledge that all the pertinent asbestos abatement regulations will be followed.

I attest that I will adhere to and comply with any and all pertinent asbestos abatement procedures pursuant to federal and state regulations.

As Attested,

Edward Rumph  
Employee Name Printed

Edward Rumph  
Employee Signature

Date: 5-7-12

## COMPLIANCE ACKNOWLEDGEMENT

**LEE ENVIRONMENTAL CLEANING, INC.** requires all asbestos abatement employees to attest and acknowledge that all the pertinent asbestos abatement regulations will be followed.

I attest that I will adhere to and comply with any and all pertinent asbestos abatement procedures pursuant to federal and state regulations.

As Attested,

KETH TIGGS  
Employee Name Printed

Keith Tiggs  
Employee Signature

Date: 5/8/12

## COMPLIANCE ACKNOWLEDGEMENT

**LEE ENVIRONMENTAL CLEANING, INC.** requires all asbestos abatement employees to attest and acknowledge that all the pertinent asbestos abatement regulations will be followed.

I attest that I will adhere to and comply with any and all pertinent asbestos abatement procedures pursuant to federal and state regulations.

As Attested,

JERRY ENGLISH  
Employee Name Printed

Jerry English  
Employee Signature

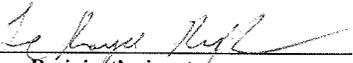
Date: 5-7-12

# CORRESPONDENCE RECEIPT



The undersigned hereby acknowledges receiving a sealed letter from the City of Cleveland, Division of Air Quality (CDAQ).

The recipient, by signing this receipt, affirms that he or she has received a letter addressed to Edward Rumph at Lee Environmental located at 11212 Avon Ave., Cleveland, Ohio 44105.

  
Recipient's signature

LeRance Rumph  
Recipient's name (printed)

5/9/2012  
Date

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness name (printed)

\_\_\_\_\_  
Date

Certified Mail #7002203000017595262

**LEE ENVIRONMENTAL CLEANING, INC.**

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March 21, 2012

VIA U.S. Mail and e-mail [msamec@city.cleveland.oh.us](mailto:msamec@city.cleveland.oh.us) (w/Attachment)

Mr. Mike Samec, Enforcement Representative  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, OH 44114-1839



**Re: Facility ID: CD 12 356**

Dear Mr. Samec:

Please be advised that Lee Environmental Cleaning, Inc. has taken responsive action to the alleged referenced NESHAP violations. Employees are required to adhere to 40 CFR 61 standards, which include wetting and sealing RACM, along with using a proper ventilation and/or collection system when there is a potentiality that RACM may become airborne.

A comprehensive, yet concise, asbestos abatement plan that all employees must sign, is being developed now and will be submitted in the future. A respiratory protection program, which must be signed by all abatement personnel, is currently in place.

Lee Environmental Cleaning is committed to adapting any and all of its procedures in conformance with EPA regulations and seeks any and all assistance and feedback from the Cleveland Division of Air Quality.

Sincerely yours,

  
Kenneth McElroy, Administrator

Lee Environmental Cleaning, Inc.

Attachment (e-mail only)