



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erieview 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 : 7010 1870 0000 6591 3691  
RETURN RECEIPT REQUESTED**

November 29, 2011

Antoine Bogan  
Aero Abatement Services, Inc.  
7102 Lawnview Avenue  
Cleveland, Ohio 44103

**PROJECT ID'S: CL 12 056, CL 12 057, and CL 12 069  
NOTICE OF VIOLATION: NESHAP Violations**

Dear Mr. Bogan:

On November 2, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Cuyahoga County Land Reutilization Corporation's (CCLRC) asbestos removal/demolition projects located at 1633 Coventry Road, 1655 Coventry Road, and 1724 Coventry Road in Cleveland Heights. This letter serves as notification that you are 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).

The abatement projects at 1633 Coventry Road, 1655 Coventry Road, and 1724 Coventry Road violated 40 CFR Part 61.145(b)(3)(iv)(B)(1), and OAC Rule 3745-20-03(A)(3)(d) for failing to provide a written notice of the new start date at least 10 working days before asbestos stripping or removal work begins.

The demolition project at 1724 Coventry Road violated 40 CFR Part 61.145(b)(3)(iv)(B)(2), and OAC Rule 3745-20-03(A)(3)(d)(ii)(b) for failing to provide a written notice of the new start date at least 10 working days before commencement of demolition.

The abatement and demolition projects at 1633 Coventry Road, 1655 Coventry Road, and 1724 Coventry Road violated 40 CFR Part 61.145(b)(3)(iv)(C), and OAC Rule 3745-20-03(A)(3)(d)(iii) for performing abatement or demolition activities other than the date contained on the notifications.



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Aero Abatement submit a corrective action plan outlining what steps will be taken in the future to avoid the violations that are above noted to the following enforcement representative:

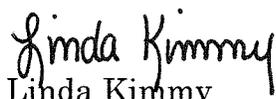
Bryan Sokolowski  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA project identification numbers: CL 12 056, CL 12 057, and CL 12 069.

Sincerely,



Linda Kimmy  
Field Enforcement Manager

LK/BS

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\1633, 1655, 1724 Coventry Road\2011-11-2 NOV Aero.docx



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**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL : 7010 1870 0000 6591 4698  
RETURN RECEIPT REQUESTED**

January 24, 2012

Antoine Bogan  
Aero Abatement Services, Inc.  
26881 Oriole Avenue  
Euclid, Ohio 44132

**PROJECT ID'S: CL 12 056, CL 12 057, and CL 12 069  
SECOND NOTICE OF VIOLATION: NESHAP Violations**

Dear Mr. Bogan:

On November 29, 2011, the Cleveland Division of Air Quality (CDAQ) issued Aero Abatement a Notice of Violation for the asbestos removal/demolition projects located at 1633 Coventry Road, 1655 Coventry Road, and 1724 Coventry Road in Cleveland Heights. This letter serves as notification that you are still 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).

The abatement projects at 1633 Coventry Road, 1655 Coventry Road, and 1724 Coventry Road violated 40 CFR Part 61.145(b)(3)(iv)(B)(1), and OAC Rule 3745-20-03(A)(3)(d) for failing to provide a written notice of the new start date at least 10 working days before asbestos stripping or removal work begins.

The demolition project at 1724 Coventry Road violated 40 CFR Part 61.145(b)(3)(iv)(B)(2), and OAC Rule 3745-20-03(A)(3)(d)(ii)(b) for failing to provide a written notice of the new start date at least 10 working days before commencement of demolition.

The abatement and demolition projects at 1633 Coventry Road, 1655 Coventry Road, and 1724 Coventry Road violated 40 CFR Part 61.145(b)(3)(iv)(C), and OAC Rule 3745-20-03(A)(3)(d)(iii) for performing abatement or demolition activities other than the date contained on the notifications.



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Aero Abatement submit a corrective action plan outlining what steps will be taken in the future to avoid the violations that are above noted to the following enforcement representative:

Bryan Sokolowski  
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.

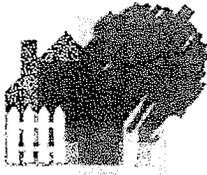
CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA project identification numbers: CL 12 056, CL 12 057, and CL 12 069.

Sincerely,

Linda Kimmy  
Field Enforcement Manager

LK/BS

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\1633, 1655, 1724 Coventry Road\2011-11-2 NOV2 Aero.docx



**Cuyahoga County Land Reutilization Corp.**

323 W. Lakeside Avenue, Suite 160  
Cleveland, Ohio 44113  
Tel (216) 698-8853 Fax (216) 698-8972

July 5, 2012

Ms. Linda Kimmy  
Field Enforcement Manager  
Cleveland Division of Air Quality  
75 Erieview Plaza, 2nd Floor  
Cleveland, OH 44114-1839

Subject: Notice of NESHAP Violations - Project ID CL 12 056, CL 12 057, and CL 12 069  
(1633, 1724, and 1655 Coventry Road, Cleveland Heights: PPN 684-01-054,  
684-01- 027, and 684-01-048)

Dear Ms. Kimmy,

I am writing in response to the Cleveland Division of Air Quality's (CDAQ) Second Notice of NESHAP Violations, dated January 14, 2012, which we received, January 30, 2012. (The original Notice was issued on November 29, 2011.) The letter indicated that the asbestos abatement and demolition contractors had failed on three basic counts:

- Failure to provide a written notice of the new start date at least 10 days prior to work beginning on the abatement (all three houses referenced above)
- Failure to provide a written notice of the new start date at least 10 days prior to work beginning on the demolition (1724 Coventry)
- Performing abatement or demolition activities on dates not included in the notifications (1655 Coventry and 1724 Coventry).

When we addressed this with our abatement contractor, we discovered that he had not kept a copy of the NESHAP notification he had turned in to your office and was relying on his memory. He subsequently told the demolition contractor he could proceed, and the demolition contractor failed to check to be certain. Reliance on memory when accuracy is so critically important is clearly unacceptable to the CCLRC. To counteract this practice, the CCLRC adopted the following procedure:

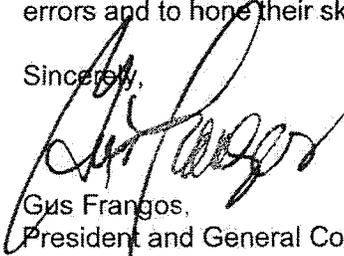
**The CCLRC will submit to the CDAQ all original notifications for the abatement of asbestos and demolition thereof. All contractors must provide the CCLRC with their original NESHAP Notifications which CCLRC will submit to CDAQ. CCLRC will provide copies of these documents upon request to any party in need of information on the dates for the start of abatement and demolition. Subsequent amendments to the notification forms should be submitted to CCLRC as well so that we can keep track of the start dates. As a courtesy and to standardize the notification form submission, the CCLRC has begun to prepare all forms and they will be attached to your Proceed Orders so that upon signing and accepting the work indicated in the proceed order you can fill out and return the notification form to the CCLRC.**

In the several months since this procedure was adopted, our experience has shown it to be sound. It has enabled staff to communicate more clearly with both abatement and demolitions contractors, and

has simplified coordination among contractors as well. We trust that your staff has had fewer problems with our abatement and demolition projects.

In the event we find contractors unwilling to comply, the CCLRC has adopted a policy of not doing business with any contractors who consistently fail to be thorough or to follow NESHAP guidelines. Due to such a policy, there are already asbestos survey contractors we have dropped or suspended and demolition contractors that we have been removed from our approved providers list. At the same time, we also understand that even the most conscientious abatement and demolition professionals make scheduling mistakes. We will work closely with our contractors to help correct unintentional errors and to hone their skills.

Sincerely,



Gus Frangos,  
President and General Counsel

cc: Bryan Sokolowski  
George Baker  
Michael Krzywicki  
John Paulian  
William MacDowell



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
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**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7010 1870 0000 6591 4629  
RETURN RECEIPT REQUESTED**

July 16, 2012

Gus Frangos  
President  
Cuyahoga County Land Reutilization Corp.  
323 West Lakeside Avenue, Suite 160  
Cleveland, Ohio 44113-1058

**PROJECT ID: CL 12 056, CL 12 057, and CL 12 069**

**RESOLUTION OF VIOLATIONS  
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Frangos:

On November 2, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Cuyahoga County Land Reutilization Corporation's (CCLRC) asbestos removal/demolition projects located at 1633 Coventry Road, 1655 Coventry Road, and 1724 Coventry Road in Cleveland Heights.

On November 29, 2011, CDAQ issued CCLRC a Notice of Violation for failing to provide a written notice of an earlier start date at least 10 working days before commencement of abatement and demolitions, and for performing abatement and demolition activities other than the date on the notifications. The Notice of Violation required CCLRC to submit a corrective action plan outlining what steps will be taken in the future to avoid the violations. On January 24, 2012, CDAQ issued a Second Notice of Violation due to no response to the first Notice of Violation.

On July 5, 2012, CDAQ received a response letter via email from CCLRC. The letter states that CCLRC will submit all original notifications for the abatement of asbestos and demolitions. CCLRC will also retain copies of all original and revised notifications submitted to CDAQ in order to keep track of start dates.

The corrective action plan was received 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. All correspondence with CDAQ must include the Ohio EPA project identification numbers: CL 12 056, CL 12 057, and CL 12 069.

Sincerely,

A handwritten signature in black ink that reads "Valencia White".

Valencia White  
Chief of Enforcement, CDAQ

VW/BS LK

cc: Jim Maher, Cuyahoga County Land Reutilization Corp.  
Cheryl Stephens, Cuyahoga County Land Reutilization Corp.  
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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Road\2012-11-2 ROV+NEAR.docx



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**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

July 31, 2012

Antoine Bogan  
Aero Abatement Services, Inc.  
P.O. Box 32428  
Euclid, Ohio 44132

**PROJECT ID: CL 12 056, CL 12 057, and CL 12 069**

Dear Mr. Bogan:

On June 29, 2012, the Cleveland Division of Air Quality (CDAQ) sent a Resolution of Violations letter via certified mail to Aero Abatement Services, Inc. at P.O. Box 32428, Euclid, Ohio, 44132.

On July 22, 2012, CDAQ received the certified letter back as unclaimed.

CDAQ has enclosed the original letter in this envelope.

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. All correspondence with CDAQ must include the Ohio EPA project identification numbers: CL 12 056, CL 12 057, and CL 12 069.

Sincerely,

A handwritten signature in black ink that reads 'Valencia White'.

Valencia White  
Chief of Enforcement, CDAQ

VW/BS LK

cc: Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\1633, 1655, 1724  
Coventry Road\2011-11-2 ROV + NEAR Aero Cover Letter.docx

encl: Resolution of Violations/Notice of Violation Follow-Up Letter

# LEE ENVIRONMENTAL CLEANING, INC.

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March 22, 2012

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

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

**Re: Facility ID: CD 12 057**

Dear Mr. Sokolowski:

Please be advised that Lee Environmental Cleaning, Inc. and Hez Enterprises, Inc. has taken responsive action to comply with the 10-day notice requirements of 40 CFR 61145(b)(3)(iv)(B)(2). It should be noted, however, that Lee Environmental relied upon representations from Aero Abatement that it was allowable for Lee Environmental to proceed.

The immediate plan of action before commencing with a demolition is as follows:

1. Obtain Notice to Proceed from abatement contractor; and
2. Copy of 10-day Notification to the EPA

As previously stated to you, 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.





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www.clevelandhealth.org

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**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

June 29, 2012

Ed Rumph  
Hez Enterprises, LLC.  
11212 Avon Avenue  
Cleveland, Ohio 44105

PROJECT ID: CL 12 057

**RETURN TO COMPLIANCE  
NOTICES OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Rumph:

On November 2, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Cuyahoga County Land Reutilization Corporation's (CCLRC) asbestos removal/demolition project located at 1724 Coventry Road in Cleveland Heights.

On November 28, 2011, CDAQ issued Hez Enterprise, LLC. (Hez) a Notice of Violation for failing to provide a written notice of the new start date at least 10 working days before commencement of demolition. The Notice of Violation required Hez to submit a detailed corrective action plan outlining what steps will be taken in the future to avoid the violation. On January 24, 2012, CDAQ issued a Second Notice of Violation due to no response to the first Notice of Violation.

On March 22, 2012, CDAQ received a response letter from Hez. The letter stated that Hez was incorrectly told by representatives from Aero Abatement that the demolition portion of the project could begin. The letter also stated that in the future before performing a demolition Hez will obtain a notice to proceed and a copy of the Ohio Environmental Protection Agency (EPA) Notification of Demolition and Renovation from the abatement contractor before starting demolition. Hez also submitted a copy of their respiratory protection program, and stated they will be submitting a copy of an asbestos abatement work practice policy which will be signed by all employees. On April 27, 2012, CDAQ received a copy of the asbestos abatement work practice policy, and on May 9, 2012, CDAQ received the signatures from the employees.

The corrective action plan was received 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. All correspondence with CDAQ must include the Ohio EPA project identification number: CL 12 - 057.

Sincerely,

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

Valencia White  
Chief of Enforcement, CDAQ

VW/BS LK

cc: John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\1633, 1655, 1724  
Coventry Road\2011-11-2 RTC Hez.docx