



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
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Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

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

**CERTIFIED MAIL 7011 3500 0000 1759 6979
7011 3500 0000 1759 6962
RETURN RECEIPT REQUESTED**

August 30, 2012

Dave Nemec
Owner
Cherokee Demolition, LLC
16020 Messenger Road
Burton, Ohio 44021

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

**PROJECT ID: CL 12 1311
RESOLUTION OF VIOLATION
NOTICE OF VIOLATION/NOTICE OF VIOLATION FOLLOW-UP LETTER:
NESHAP Violations**

Dear Mr. Nemec & Mr. Bogan:

On August 15, 2012, the Cleveland Division of Air Quality (CDAQ) inspected an asbestos removal/demolition project located at 10012 Lamont Avenue in Cleveland. 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 Standards 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).

CDAQ observed Aero Abatement Services, Inc. performing asbestos abatement on August 15, 2012. The asbestos removal dates indicated on the notification were July 27, 2012 to August 10, 2012. Therefore, the asbestos removal project is in violation of 40 CFR Part 61.145(b)(3)(iv)(C), OAC Rule 3745-20-03(A)(3)(d)(iii), and ORC Chapter 3704.05(G) for performing abatement activity other than the date contained on the notification.



On August 17, 2012, Cherokee Demolition, LLC submitted a revised Ohio Environmental Protection Agency Notification of Demolition and Renovation. The revised notification changed the asbestos removal completion date to August 22, 2012.

The appropriate steps were taken to bring the source into compliance. CDAQ 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. 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 number: CL 12 1311.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/BS

cc: Robert Greggo, STA Realty, Inc.
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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(ANTS)\CL 12 - 1311\2012-8-15 NOV.docx

Enclosure: Copy of asbestos notification