



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 7011 3500 0000 1759 5019
RETURN RECEIPT REQUESTED**

February 14, 2012

Tony Caywood
OBO Demolition & Construction, Inc.
2824 East 75th Street
Cleveland, Ohio 44104

NON-HPV

**FACILITY ID: CL 12 373
NOTICE OF VIOLATION: NESHAP VIOLATIONS**

Dear Mr. Caywood:

On January 31, 2012, the Cleveland Division of Air Quality (CDAQ) inspected the residential site located at 1115 East 113th Street 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 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 demolition project violated 40 CFR 61.145(b)(1) and OAC Rule 3745-20-03(A)(1) by failing to submit CDAQ with an Ohio Environmental Protection Agency Notification of Demolition and Renovation (Notification) of intention to demolish. [Observed January 31, 2012] (see attachment)

The demolition project violated 40 CFR 61.145(b)(3)(i) and OAC Rule 3745-20-03(A)(3)(a) by failing to deliver the Notification at least 10 working day before any activity begins. [Observed January 31, 2012] (see attachment)

The demolition project violated 40 CFR 61.145(c)(1) and OAC Rule 3745-20-04(A)(1) by failing to remove all Regulated Asbestos Containing Material (RACM) from a facility being demolished before any activity begins that would break-up, dislodge, or disturb the material. [Observed January 31, 2012] (see attachment)

The demolition project violated 40 CFR 61.150(a) and OAC Rule 3745-20-05(B) by discharging visible emissions to the outside air during the collection and transporting of RACM. [Observed January 31, 2012] (see attachment)



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that OBO Demolition & Construction, Inc. submit dump tickets or waste manifests and a corrective action plan stating how future demolition activities will be handled and violations prevented to the following enforcement representative:

Mike Samec
Cleveland Division of Air Quality
75 Erieview Plaza 2nd 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 identification number CL 12 373.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ms

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Jim Maher, Cuyahoga County Land Reutilization Corp.
Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\Cuyahoga County Land Bank\1115
East 113th CL 12 373\2012-01-31 NOV.docx

Attachment: Abatement Contractor's Notification

O.B.O. DEMOLITION & CONSTRUCTION, INC.

2824 East 75th Street
Cleveland, Ohio 44104

Phone: 216-391-2474
Fax: 216-391-2421
Email: obodemo@sbcglobal.net

March 7, 2012

Mike Samec
Cleveland Division of Air Quality
75 Erieview Plaza, 2nd Floor
Cleveland, OH 44114-1839

Dear Mr. Samec:

This letter is in response to the violations listed in the letter sent to our office from you as a representative of the Cleveland Division of Air Quality. O.B.O. Demolition & Construction, Inc. has had the same employee handling our notifications and permitting for the past five (5) years and regarding the violations sent, this was clearly a huge mistake and an oversight on our employee's part. We had a package of four (4) properties that were awarded to us, and we received information that J.J.K. Environmental was the abatement contractor listed. Our employee proceeded with the permit process after having talked with J.J.K. Environmental. How she was able to get a final permit for 1115 East 113th Street from the City of Cleveland without a copy of notification, I can't explain, as she believed all of the paperwork had been done.

As to violation of 40 CFR 61.150(a) and OAC Rule 3745-20-05(B) regarding discharging of visible emissions, when demolishing any property, O.B.O. Demolition handles the demo, as if it is considered an Emergency Demo. This means we are constantly spraying water on the site to control dust, watering debris while material is being loaded out, and all of our loads are properly tarped.

We at O.B.O. Demolition understand how serious of a mistake this is and have already implemented additional measures in our checklist to assure this never happens again. We have also disciplined our Office Assistant by suspending her for two (2) weeks without pay. O.B.O. Demolition has also been suspended by CCLRC for six (6) months, as well as being pulled from existing contracts that we had with them. This has been a major financial hit to our company.

In her explanation of allowing such a mistake to occur, she explained that with the new process that has been implemented for City properties, whether they be work done for the County/CCLRC or for the City of Cleveland, our office has been experiencing continuous follow-ups to correct notification information or having the abatement contractors re-notify, as they are usually the ones that receive the surveys. Our office has also had to frequently re-notify ourselves, because the abatement contractors at times had not been initially contacting our office to verify our contact information or to coordinate our demolition work schedule with notifications they were sending. Due to much of this happening and having to either have abatement contractors re-notify or re-notify ourselves, along with times that the abatement contractors not always being cooperative in giving written verification of the abatement completion for us to move forward, this particular property was already thought to have been verified and completed by J.J.K. Environmental.

O.B.O. DEMOLITION & CONSTRUCTION, INC.

Page Two

Our office has begun many corrective steps, so that this does not happen in our office again. 1) All documentation will be double-checked with the client to see if the abatement contractor has sent documentation of completed work to them, as well as directly ask the abatement contractor for a verbal verification and documentation to be able move forward with our demolition process. 2) Our scheduled demolitions and office posted permits that are taken in the field or viewed by the Project Superintendent and/or the Field Supervisor will have notification work schedule times attached to them, as well as documentation for them to give the scope a once over again right before beginning a new project and before moving forward with any said project. 3) If an abatement contractor has been called a while previous to the beginning of a project, they will be called again to go over any documentation previously received to verify with their office that the abatement has been completed.

Our office would also suggest that structures be marked in some way, that have been abated or become environmentally sound for demolition to move forward, just as the gas company or utilities mark the house and/or pavement, so that we have signs that they have been to do work or that work was completed at the structure. We suggest a large, Green "A" for abatement to show that work has been completed, as well as the verification and documentation such as manifests and work completion letters, as we have requested in our new steps we spoke of previously. We would also suggest that abatement contractors, that receive surveys and are to notify and list demo contractors, call the demo contractor's office and actually speak to or have actual communication with someone in the office, either verbally, by email or correspondence before they list the demo contractors and have verified all of their information, coordinated the demolition start and completion date, as well as list the demo non-friable roofing and flooring material to be taken down with the structure.

Enclosed also are copies of the dump tickets for this project that you requested.

Sincerely,



Tony Caywood,
Vice President
O.B.O. Demolition & Construction, Inc.

Enclosed: Copies of dump tickets for 1115 East 113th Street, Cleveland, OH

*Invoice
6 Tickets*



KURTZ BROS., INC.
Valley Belt
950 Valley Belt Road
Brooklyn Hts., OH 44131-1446
216-986-7035

Date 01/10/2012 12:03:54PM

Delivery D/T:

SOP # 303D017887

KB # 12010.0096-001

P. O. # 1115E113 - *CCLRA*

OBO1000

O.B.O. DEMOLITION & CONST. INC.
2824 EAST 75TH STREET

CLEVELAND, OH 44104

Item Description

Item Number
Qty U OF M

DEMOLITION TIP FEE (FEES INCLUDED AS I
07.102000
30.00 YD

Earl

X

Kurtz Bros. Account Signature

I acknowledge receiving the material
and this receipt for the named customer

THANK YOU FOR YOUR BUSINESS !

To check on the status of your delivery
order, please call 1-800-223-SOIL (7645)

Your order number is :

12010.0096-001

Sales Person : RKDF02

Tuesday, January 10, 2012 12:03 pm



KURTZ BROS., INC.
Valley Belt
950 Valley Belt Road
Brooklyn Hts., OH 44131-1446
216-986-7035

Date 01/10/2012 12:41:58PM

Delivery D/T:

SOP # 303D017892

KB # 12010.0109-001

P. O. # 111E113 *1115E.113⁴²*

OBO1000

O.B.O. DEMOLITION & CONST. INC.
2824 EAST 75TH STREET

CLEVELAND, OH 44104

Item Description

Item Number
Qty U OF M

DEMOLITION TIP FEE (FEES INCLUDED AS I
07.102000
30.00 YD

OSCAR

X

Kurtz Bros. Account Signature

I acknowledge receiving the material
and this receipt for the named customer

THANK YOU FOR YOUR BUSINESS !

To check on the status of your delivery
order, please call 1-800-223-SOIL (7645)

Your order number is :

12010.0109-001

Sales Person : RKDF02

Tuesday, January 10, 2012 12:41 pm



KURTZ BROS., INC.
Valley Belt
950 Valley Belt Road
Brooklyn Hts., OH 44131-1446
216-986-7035

Date 01/10/2012 1:50:23PM
Delivery D/T:
SOP # 303D017901
KB # 12010.0127-001
P. O. # 1115E113

OBO1000
O.B.O. DEMOLITION & CONST. INC.
2824 EAST 75TH STREET

CLEVELAND, OH 44104

Item Description	Item Number	Qty	U OF M
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DEMOLITION TIP FEE (FEES INCLUDED AS I	07.102000		
	30.00	YD	

X 

Kurtz Bros. Account Signature

I acknowledge receiving the material
and this receipt for the named customer

THANK YOU FOR YOUR BUSINESS !

To check on the status of your delivery
order, please call 1-800-223-SOIL (7645)

Your order number is :
12010.0127-001
Sales Person : RKDF02

Tuesday, January 10, 2012 1:50 pm



KURTZ BROS., INC.
Valley Belt
950 Valley Belt Road
Brooklyn Hts., OH 44131-1446
216-986-7035

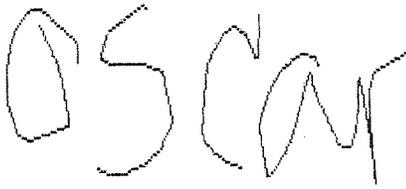
Date 01/10/2012 2:26:11PM
Delivery D/T:
SOP # 303D017906
KB # 12010.0142-001
P. O. # 1115E113

OBO1000
O.B.O. DEMOLITION & CONST. INC.
2824 EAST 75TH STREET

CLEVELAND, OH 44104

Item Description	Item Number	Qty	U OF M
------------------	-------------	-----	--------

DEMOLITION TIP FEE (FEES INCLUDED AS I	07.102000		
	30.00	YD	

X 

Kurtz Bros. Account Signature

I acknowledge receiving the material
and this receipt for the named customer

THANK YOU FOR YOUR BUSINESS !

To check on the status of your delivery
order, please call 1-800-223-SOIL (7645)

Your order number is :
12010.0142-001
Sales Person : RKDF02

January 10, 2012 2:26 pm



KURTZ BROS., INC.
 Valley Belt
 950 Valley Belt Road
 Brooklyn Hts., OH 44131-1446
 216-986-7035

Date 01/10/2012 3:23:43PM
 Delivery D/T:
 SOP # 303D017911
 KB # 12010.0154-001
 P. O. # 1115E113

OBO1000
 O.B.O. DEMOLITION & CONST. INC.
 2824 EAST 75TH STREET

CLEVELAND, OH 44104

Item Description	Item Number	Qty	U OF M
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DEMOLITION TIP FEE (FEES INCLUDED AS I	07.102000	30.00	YD
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X *Earl*

Kurtz Bros. Account Signature

I acknowledge receiving the material
 and this receipt for the named customer

THANK YOU FOR YOUR BUSINESS !

To check on the status of your delivery
 order, please call 1-800-223-SOIL (7645)

Your order number is :
12010.0154-001
 Sales Person : RKDF02

Tuesday, January 10, 2012

3:23 pm



KURTZ BROS., INC.
 Valley Belt
 950 Valley Belt Road
 Brooklyn Hts., OH 44131-1446
 216-986-7035

Date 01/11/2012 11:31:30AM
 Delivery D/T:
 SOP # 303D017937
 KB # 12011.0082-001
 P. O. # 1115E113

OBO1000
 O.B.O. DEMOLITION & CONST. INC.
 2824 EAST 75TH STREET

CLEVELAND, OH 44104

Item Description	Item Number	Qty	U OF M
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DEMOLITION TIP FEE (FEES INCLUDED AS I	07.102000	30.00	YD
--	-----------	-------	----

X *[Handwritten Signature]*

Kurtz Bros. Account Signature

I acknowledge receiving the material
 and this receipt for the named customer

THANK YOU FOR YOUR BUSINESS !

To check on the status of your delivery
 order, please call 1-800-223-SOIL (7645)

Your order number is :
12011.0082-001
 Sales Person : RKDF02

Wednesday, January 11, 2012

11:31 am



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
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 7011 3500 0000 1759 5279
RETURN RECEIPT REQUESTED

April 13, 2012

Tony Caywood
OBO Demolition & Construction, Inc.
2824 East 75th Street
Cleveland, Ohio 44104

FACILITY ID: CL 12 373
RECEIPT OF CORRECTIVE ACTION PLAN: NESHAP VIOLATIONS

Dear Mr. Caywood:

On February 14, 2012, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation to OBO Demolition & Construction, Inc. (OBO) for a demolition project located at 1115 East 113th Street in Cleveland. OBO failed to abate asbestos containing material prior to demolition of the structure.

CDAQ requested OBO submit dump tickets or waste manifests and a corrective action plan stating how future demolition activities will be handled and violations prevented.

CDAQ is in receipt of a response letter dated March 7, 2012 stating the following:

1. All documentation will be double-checked with the client to see if the abatement contractor has sent documentation to be able move forward with our demolition process.
2. Our scheduled demolitions and office posted permits that are taken in the field or viewed by the Project Superintendent and/or Field Supervisor will have notification work schedule times attached to them.
3. If an abatement contractor has been called a while previous to the beginning of a project, they will be called again to go over any documentation previously received to verify with their office that the abatement has been completed.

After reviewing the letter, CDAQ has determined that additional information is needed.

CDAQ is requesting the following items:

- ✓ 1. Provide documentation which allows OBO to demolish the structure at 1115 East 113th Street.
- ✓ 2. Provide documentation identifying the abatement contractor who was hired to



remove asbestos at 1115 East 113th Street.

- ✓3. Provide documentation that the City of Cleveland granted OBO permission to demolish the structure at 1115 East 113th Street.
4. Provide the letter from the Cuyahoga County Land Reutilization Corp. stating OBO has been suspended for six months.

You are expected to submit the information above within 14 days date of receipt of this letter. 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:

Mike Samec
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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA number for 1115 East 113th Street: CL 12 373.

Sincerely,

Linda Jimmy for VW
Valencia White
Chief of Enforcement, CDAQ

VW/ms

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Jim Maher, Cuyahoga County Land Reutilization Corp.
Facility File and L:\Data\Facilities\+ Programs\Asbestos\Sites\Cuyahoga
County Land Bank\1115 East 113th CL 12 373\2012-01-31 RCAP.docx

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

Tony Caywood
 OBO Demo
 2824 E 75th Str
 Clev. Oh 44104

2. Article Number
(Transfer from service label)

7011 3500 0000 1759 5279

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

4/20

 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

12 373

3. Service Type

-
- Certified Mail
-
- Express Mail
-
-
- Registered
-
- Return Receipt for Merchandise
-
-
- Insured Mail
-
- C.O.D.

4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE THIS SECTION**

- 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.

1. Article Addressed to:

Tony Caywood
 OBO
 2824 E 75th Str
 Cleveland, Oh 44104

2. Article Number
(Transfer from service label)

7011 3500 0000 1759 5019

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

Stephanie Armstrong

2/27/12

 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

CL 12 373

3. Service Type

-
- Certified Mail
-
- Express Mail
-
-
- Registered
-
- Return Receipt for Merchandise
-
-
- Insured Mail
-
- C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

O.B.O. DEMOLITION & CONSTRUCTION, INC.

2824 East 75th Street
Cleveland, Ohio 44104

Phone: 216-391-2474
Fax: 216-391-2421
Email: obodemo@sbcglobal.net

May 8, 2012

Mike Samec
Cleveland Division of Air Quality
75 Erieview Plaza, 2nd Floor
Cleveland, OH 44114-1839



Dear Mr. Samec:

O.B.O. Demolition & Construction, Inc. is enclosing the supplemental documentation, that your office requested. We have enclosed our Notice to Proceed, that we received from the Cuyahoga County Land Revitalization Corporation or CCLRC regarding the property at 1115 East 113th Street.

At the time of demolition of this property, it was our experience that the new contracts received from CCLRC and the City of Cleveland in 2011 had adopted and implemented new procedures in which surveys were being sent for notification to the abatement contractors and not initially to the demolition contractors. That being the case, the abatement contractors were then to list the demolition contractors information on their notifications to the EPA/Air Quality, as we spoke of in our previous correspondence. The office personnel, that does our permitting, had previously given our information to J.J.K. Environmental for notifications, who she thought to be the contractor for the package of properties that we were contracted to demo at this time, as was stated in our previous letter.

The only information that we can provide is information that we received after the demolition had occurred. We have enclosed the fax cover although it lists an incorrect address and cancellation of work on it, but it was sent on Feb. 15th, 2011, as the cover for the notification for 1115 East 113th, after O.B.O. had already been in contact with CCLRC and Air Quality in relation to the property being removed. O.B.O. had not been contacted prior by Safeair Contractors, Inc. in anyway, as it relates to the demo of 1115 East 113th or that they were in fact the abatement contractors for this property, that we were to demolish. They also had not informed us that they were not planning to list us on their notification, as had been the procedure for the previous properties to be abated for CCLRC and the City at that time.

We are providing our demo permit for 1115 East 113th Street, as our permission from the City of Cleveland to proceed in the demolition of the structure at this location. At this time our letter or documentation of our six (6) month suspension is with the Cuyahoga County Land Revitalization Corporation or CCLRC.

Our office has always worked towards maintaining high standards in fulfilling the requirements and following the procedures of the EPA/Air Quality, municipalities and otherwise. Please know that, we are continuing the corrective steps we spoke of in our previous letter and we will continue double-checking with the client and abatement contractors regarding notifications, documentation, and verification of completed work before moving forward with projects.

Sincerely,

Tony Caywood,
Vice President

O.B.O. Demolition & Construction, Inc.

Building Permit

File [] Insp. [] Owner/Cust. []

Demolitions

POST THIS PERMIT
IN PLAIN VIEW.

Permit No: B11044322

Inspector: GERALD KIDD
Phone No. 216-664-3965

CONTACT YOUR INSPECTOR AT LEAST 12 HOURS PRIOR TO REQUESTED INSPECTIONS. PLEASE CALL
BETWEEN THE HOURS OF 7:00 A.M. AND 10:00 A.M. APPROVED DRAWINGS MUST BE KEPT ON JOB SITE.

Location: 1115 E 113 ST, CLEVELAND, OH 44108

Issue Date: 12/23/2011

Plan Process Fee: \$20.00

Permit Fee: \$100.00

Site Development Fee: \$0.00

Estimated Cost: \$9,200.00

Storm Water Process Fee: \$0.00

Floor Covered:

Surcharge: \$1.00

AKA:

C.O. Fee:

Use: PLEASE CHANGE

Late Fee:

Constr. Class: PLEASE CHANGE

Zoning Fee:

Zoning District:

Ward: 9

District: 4

PPN: 10922127

Census Tract:

PURSUANT TO FILING THE REQUIRED APPLICATION BY

Contractor: CAYWOOD, ANTHONY, OBO DEMOLITION & CONSTRUCTION INC. Phone No.
216.391.2474

Address: 2824 E. 75 ST., CLEVELAND, OH 44104

ON BEHALF OF

Owner: CUYAHOGA COUNTY LANDBANK Phone No. 216 698-8791

Address: 323 W. LAKESIDE AVE., CLEVELAND, OH 44113

PERMISSION IS HEREBY GRANTED TO:

RAZE 3 STORY FRAME 3 DU TO CORRECT CONDM VN DATED 05/11/10. FILL EXCAVATION TO GRADE. WORK
TO MEET PRESENT CODE. DUST CONTROL 277.07 AND SEED LOT.

PERMIT EXPIRES 01/23/2012

THIS PERMIT IS FOR THE WORK SPECIFIED ON THE APPLICATION FILED THEREFORE ANY UNAUTHORIZED
CHANGE OR ALTERATION FROM THE AFORESAID APPLICATION OR PLANS WILL RENDER THIS PERMIT
NULL AND VOID.

DAVID J. COOPER, CHIEF BUILDING OFFICIAL
DEPUTY DIRECTOR, DEPARTMENT OF BUILDING AND HOUSING

PAID DEC 23 2011



CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION
DEMOLITION OF CCLRC OWNED PROPERTY

Notice to Proceed

O.B.O. Demolition & Construction, Inc.; a registered demolition contractor is hereby authorized and ordered to demolish the structure(s)

Property Information:

Address: 1115 E 113th St
Cleveland, OH 44108

PPN: 109-22-127

Structure Type: Three family

Contract Information:

Contract Price: \$9200.00

Tony Crawford Vice President 8-1-11
Contractor's Signature and Title (Date)

TONY CRAWFORD
Print Name

Property Owner: Cuyahoga County Land Reutilization Corporation
323 W. Lakeside Avenue, Suite 160, Cleveland, OH 44113

Notice to Proceed Date: July 14, 2011

Demolition to be completed by: August 30, 2011

Cheryl Stephens
Cheryl Stephens, Director of Acquisition and Disposition
Cuyahoga County Land Reutilization Corporation
323 W. Lakeside Avenue, Suite 160
Cleveland, OH 44113



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

NOTICE OF SUSPENSION

May 8, 2012

Mr. Tony Caywood
O.B.O. Demolition and Construction, Inc.
2824 E 75th St.
Cleveland, Ohio 44104

Re.: **PPN 109-22-127, 1115 E 113th St.**

Dear Mr. Caywood:

On January 10, 2012, O.B.O. Demolition and Construction, Inc. demolished the 2-family home located at 1115 E 113th St., Cleveland, Ohio. On that date, O.B.O. had not submitted the 10-Day NESHAP notification form, (Ohio Environmental Protection Agency required Notification of Demolition) to the Cleveland Division of Air Quality for this proposed demolition project. A NESHAP notification had been submitted by SafeAir Contractors, Inc. for asbestos abatement but that did not include information regarding demolition dates or the demolition contractor. Although this appears to have been an oversight by O.B.O., this demolition without proper notification is not in compliance with NESHAP regulations and not acceptable to the Cuyahoga County Land Reutilization Corporation (CCLRC).

In our meeting with you on February 6, 2012 I informed you that your oversight was so significant that the CCLRC would be suspending O.B.O. Demolition and Construction, Inc. from bidding on additional demolition work for a period of six months. This letter confirms that verbal communication of suspension and the time frame for the suspension which is effective from February 1st, 2012 through July 31st, 2012.

The CCLRC has taken steps to prevent this lack of communication between the abatement and demolition contractors from happening again on notifications. All Notice to Proceed forms for demolition and abatement are submitted on behalf of contractors by CCLRC staff to the Division of Air Quality. Consequently, reducing or eliminating opportunities for mistakes and oversight.

If you have any questions please contact Jim Maher or myself at (216) 698-8658.

Sincerely,

Cheryl Stephens, Director
Acquisition, Disposition and Development



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 7011 3500 0000 1759 5620
RETURN RECEIPT REQUESTED

May 25, 2012

Tony Caywood
OBO Demolition & Construction, Inc.
2824 East 75th Street
Cleveland, Ohio 44104

FACILITY ID: CL 12 373
RECEIPT OF CORRECTIVE ACTION PLAN: NESHAP VIOLATIONS

Dear Mr. Caywood:

On January 31, 2012, the Cleveland Division of Air Quality (CDAQ) inspected OBO Demolition & Construction, Inc.'s (OBO) demolition project located at 1115 East 113th Street in Cleveland.

On February 14, 2012, CDAQ issued a Notice of Violation to OBO for failing to abate asbestos containing material prior to demolition of the structure in violation of 40 Code of Federal Regulation (CFR) 61.145(b)(1) and Ohio Administrative Code (OAC) Rule 3745-20-03(A)(1). OBO failed to submit to CDAQ an Ohio Environmental Protection Agency Notification of Demolition and Renovation (Notification) of intention to demolish. [Observed January 31, 2012]

The demolition project violated 40 CFR 61.145(b)(3)(i) and OAC Rule 3745-20-03(A)(3)(a) by failing to deliver the Notification at least 10 working day before any activity begins. [Observed January 31, 2012]

The demolition project violated 40 CFR 61.145(c)(1) and OAC Rule 3745-20-04(A)(1) by failing to remove all Regulated Asbestos Containing Material (RACM) from a facility being demolished before any activity begins that would break-up, dislodge, or disturb the material. [Observed January 31, 2012]

The demolition project violated 40 CFR 61.150(a) and OAC Rule 3745-20-05(B) by discharging visible emissions to the outside air during the collection and transporting of RACM. [Observed January 31, 2012]

On March 7, 2012, CDAQ received a letter from OBO stating all documentation will be double-checked, scheduled demolitions and office posted permits that are taken in the field or viewed by the Project Superintendent and/or Field Supervisor will have notification work schedule times attached to them, and if an abatement contractor has been called a while previous to the beginning of a project, they will be called again to go over any documentation previously received to verify with their office that the abatement has been completed. OBO has also been suspended by Cuyahoga County Land Reutilization Corp.



(CCLRC) for six months, as well as being pulled from existing contracts.

On April 13, 2012, CDAQ issued a Receipt of Corrective Action letter to OBO requesting the following items: documentation which allows OBO to demolish the structure at 1115 East 113th Street, documentation identifying the abatement contractor who was hired to remove asbestos at 1115 East 113th Street, documentation that the City of Cleveland granted OBO permission to demolish the structure at 1115 East 113th Street, and the letter from the CCLRC stating OBO has been suspended for six months.

On May 9, 2012, CDAQ received the following from OBO: copies of the Notice of Suspension, Notice to Proceed, City of Cleveland Department of Building and Housing building permit number B11044322, canceled Notification, and a letter stating OBO will be suspended for six months from conducting business with the CCLRC.

You are expected to comply with not working with CCLRC until July 31, 2012. 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:

Mike Samec
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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA number for 1115 East 113th Street: CL12 373.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ
VW/ms LK

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
James Maher, Cuyahoga County Land Bank
Cheryl Stephens, Cuyahoga County Land Bank
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County Land Bank\1115 East 113th CL 12 373\2012-01-31 RCAP (2nd).docx



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 7011 3500 0000 1759 8454
RETURN RECEIPT REQUESTED**

August 16, 2012

Tony Caywood
OBO Demolition & Construction, Inc.
2824 East 75th Street
Cleveland, Ohio 44104

**RE: 1115 East 113th Street
PROJECT ID: CL 12 373
RESOLUTION OF VIOLATIONS
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Caywood:

On January 31, 2012, the Cleveland Division of Air Quality (CDAQ) inspected OBO Demolition & Construction, Inc.'s (OBO) demolition project located at 1115 East 113th Street in Cleveland.

On February 14, 2012, the CDAQ issued a Notice of Violation requiring OBO Demolition & Construction to submit to CDAQ an Ohio Environmental Protection Agency Notification of Demolition and Renovation (Notification) of intention to demolish.

CDAQ received a corrective action plan dated on March 7, 2012, from OBO stating all documentation will be double-checked, scheduled demolitions and office posted permits that are taken in the field or viewed by the Project Superintendent and/or Field Supervisor will have notification work schedule times attached to them, and if an abatement contractor has been called a while previous to the beginning of a project, they will be called again to go over any documentation previously received to verify with their office that the abatement has been completed. OBO has also been suspended by Cuyahoga County Land Reutilization Corp. (CCLRC) for six months, as well as being pulled from existing contracts.

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The corrective action plan was received and appropriate steps were taken to bring the project 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 project identification number for 1115 East 113th Street: CL 12 373.

Sincerely,

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

Valencia White
Chief of Enforcement, CDAQ

VW/ms

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
James Maher, Cuyahoga County Land Reutilization Corp.
Cheryl Stephens, Cuyahoga County Land Reutilization Corp.
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