



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 2000 0002 6936 3006
RETURN RECEIPT REQUESTED**

June 19, 2012

Dimitri Salivaras
President
Great Lakes Wrecking LLC
1812 W. 57th St.
Cleveland, OH 44102-3209

NON-HPV

**CDAQ PROJECT ID: CL 12 1041
NOTICE OF VIOLATION: NESHAP Violation**

Dear Mr. Salivaras:

On May 29, 2012, the Cleveland Division of Air Quality (CDAQ) investigated a complaint about a demolition project and subsequently inspected the Great Lakes Wrecking LLC (Great Lakes Wrecking) work practices for the demolition project located at 4220 Hamilton Avenue in Cleveland. This letter serves as notification that your demolition project is in violation of the following applicable air statutes, air regulations, or air permit conditions.

During the inspection, CDAQ discovered that Great Lakes Wrecking was in the process of demolishing Building Numbers 8 and 9 at 4220, 4230 and 4236 Hamilton Avenue. Great Lakes Wrecking failed to submit an Ohio Environmental Protection Agency (Ohio EPA) Notification of Demolition and Renovation prior to starting the demolition project. The demolition began on May 22, 2012. The notification should have been postmarked by May 8, 2012. There was a previous notification submitted by Tru-Trac Services in 2010, but it expired on October 31, 2010.

Demolition projects are subject to compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP), Title 40 Code of Federal Regulations (CFR) Part 61 Subpart M, Ohio Administrative Code (OAC) Chapter 3745-20 and Ohio Revised Code (ORC) Section 3704.05(G). These laws require that accurate and timely notification be provided to Ohio EPA for a demolition project at least 10 working days before the activity begins.

The demolition project is in violation of 40 CFR Part 61.145(b)(1) and OAC Rule 3745-20-03(A) for the failure to provide written notification to CDAQ about the demolition project. CDAQ received a notification on May 30, 2012.



CDAQ recognizes that Great Lakes Wrecking took remedial actions to correct the notification violation after they were informed of it. CDAQ requests that Great Lakes Wrecking submit a plan for future demolition or renovation projects addressing how you will comply with the NESHAP standards for asbestos.

CDAQ requests that Great Lakes Wrecking submit the corrective action plan to the following enforcement representative:

David Wagner
Cleveland Division of Air Quality
75 Erieview Plz., Fl. 2
Cleveland, OH 44114-1839

Your written response to this letter must be received by CDAQ within 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 ORC Section 3704.99(A), which allows fines of not more than \$25,000 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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ about this demolition project must include the CDAQ project identification number: CL 12 1041.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/dlw LK

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\4220 Hamilton Ave_Elwell
Parker Bldg\2012-05-29 NOV.docx

**Tru-Trac Services Inc.
4501 Lakeside Ave., E.
Cleveland, OH 44114
216.432.1202 Ext. 113**

September 25, 2012

Attn: David Wagner
Environmental Enforcement Specialist
Ohio EPA -- Agency 13
Cleveland Division of Air Quality
75 Erieview Plz., Fl. 2
Cleveland, OH 44114-1839

Reference: Id #CL 12 1041

Mr. David Wagner,

Prior to your phone call today, I was unaware that there was still any open issue with the work that was done for Elwell Parker Industrial Park at 4220 Hamilton Ave. Thank you for forwarding the Notice Of Violation that was issued to Great Lakes Wrecking. I apologize that you have not received a response from Great Lakes Wrecking. I decided not to try and contact them about the matter; I had a lot of problems with them as a sub-contractor, in a lot of different areas. Tru-Trac Services has no intentions of using them as sub-contractor again, but with this incident it does make us aware of our need to have better oversight when using sub-contractors. We typically only use specialty contractor as subs, Plumbing, Electrical, HVAC, etc. We have worked mainly with the same ones for years. They are very professional and make a diligent effort to abide by all of the rules and regulations; as a result we normally do not have any problems like this.

Great Lakes Wrecking had presented themselves as seasoned and experienced demolition contractors. Based on what they told me, I incorrectly got the impression that they did a lot of work in the City of Cleveland and assumed that they were familiar with requirements of doing this type of work in our city. Unfortunately I was very mistaken. In the future when using any new sub-contractors we intend to be more diligent in verifying their qualifications and require references prior to the commencement of any work. We expect any and all of our Subs to abide by all Government rules and regulations including CDAQ.

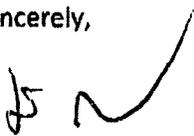
Tru-Trac Services does understand and will or require its sub-contractors to submit a NESHAP notification to Cleveland Division of Air Quality (CDAQ) before wrecking of any buildings or structures, including alteration that involve exterior walls.

Tru-Trac Services does understand and will or require its sub-contractors to verify with CDAQ that the notification is still valid before wrecking the building or resuming the demolition. In the event the demolition's progress stopped and the NESHAP notification expired, another NESHAP notification will be submitted.

Tru-Trac Services will or require it's sub-contractors to record the project's dates on a calendar to maintain awareness of the notification's dates to avoid inadvertently working outside of the permit limits.

Again I apologize that you had not receive any response to you notice, and hope this letter is adequate to assure you that I understand the 10 day notice requirement. I and Tru-Trac Services fully intend to abide by the rules and regulations. If you recall the last time I was at your office we had talked about when a notification was or was not required. In the event that I wasn't sure, I was going to call your office for clarification. I prefer to have a good working relationship and avoid any future problems; you have my cell phone and email in the event you need to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Gentile', with a long, sweeping flourish extending upwards and to the right.

Dominic Gentile
President



City of Cleveland
Frank G. Jackson, Mayor

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SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7011 2000 0002 6936 2801
RETURN RECEIPT REQUESTED

September 28, 2012

Dominic Gentile
President
Tru-Trac Services
4501 Lakeside Ave. E
Cleveland, OH 44114-3818

RE: BUILDING NUMBERS 8 AND 9 AT 4220, 4320 AND 4236 HAMILTON AVENUE
CDAQ PROJECT ID: CL 12 1041
RESOLUTION OF VIOLATIONS
NOTICE OF VIOLATION FOLLOW-UP LETTER

Dear Mr. Gentile:

On June 19, 2012, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring the submittal of an Ohio EPA Notification of Demolition and Renovation (Notification) for the demolition project of Building Numbers 8 and 9 at 4220, 4320 and 4236 Hamilton Avenue. CDAQ received the Notification from your subcontractor on May 30, 2012. CDAQ received a corrective action plan (CAP), dated September 25, 2012, via fax. The CAP addressed how violations will be avoided in the future.

Appropriate steps were taken to bring the project 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 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. If you have any questions, please call David Wagner at 216/664-3004.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/dlw *ll*

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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encl: September 25, 2012 response