



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 7011 3500 0000 1759 9437  
RETURN RECEIPT REQUESTED**

October 11, 2012

James Moore  
Owner  
Euclid Beach Mobile Home Park  
4425 West Airport Freeway, Suite 475  
Irving, Texas 75062

**RE: 38 & 40 Lincoln Ave.  
FACILITY ID: UNASSIGNED  
NOTICE OF VIOLATION: NESHAP VIOLATIONS**

Dear Mr. Moore:

On September 28, 2012, the Cleveland Division of Air Quality (CDAQ) investigated a complaint at the site address 38 & 40 Lincoln Ave. at Euclid Beach Mobile Home Park (Euclid) 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 demolition 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 CFR 61.145(b)(1) and OAC Rule 3745-20-03(A)(1) for failing to provide CDAQ an Ohio Environmental Protection Agency's Notification of Demolition and Renovation form. [Observed on September 28, 2012]

The demolition project violated CFR 61.145(b)(3) and OAC Rule 3745-20-03(A)(3)(a) for failing to at least wait 10 working days before asbestos stripping or demolition work or any other activity begins. [Observed on September 28, 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 Regulated Asbestos Containing Material (RACM). [Observed September 28, 2012]

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Euclid Management submit an Ohio Environmental Protection Agency's Notification of Demolition and Renovation form, and abate and remove all construction debris located at 38 & 40 Lincoln Ave. 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.

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 site address: 38 & 40 Lincoln Ave.

Sincerely,

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

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  
Bob Teare, Euclid Beach Mobile Home Park  
Joan Alvares, Euclid Beach Mobile Home Park  
L:\Data\Facilities\+ Programs\Asbestos\Sites\38 & 40 Lincoln Ave\2012-09-28  
NOV.docx



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Frank G. Jackson, Mayor

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

**CERTIFIED MAIL 7011 3500 0000 1759 6221  
RETURN RECEIPT REQUESTED**

October 22, 2012

James Moore  
Owner  
4425 West Airport Freeway, Suite 475  
Irving, Texas 75062

**RE: 38 & 40 Lincoln Ave. Euclid Beach Mobile Home Park  
FACILITY ID: UNASSIGNED  
2<sup>nd</sup> NOTICE OF VIOLATION: NESHAP VIOLATIONS**

Dear Mr. Moore:

On October 17, 2012, the Cleveland Division of Air Quality (CDAQ) followed-up on a complaint regarding site address 38 & 40 Lincoln Ave. at Euclid Beach Mobile Home Park (Euclid) 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 demolition 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 Part 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 similarly disturb the material or preclude access to the material for subsequent removal. [Observed on October 17, 2012]

The demolition project violated 40 CFR Part 61.145(c)(3) and OAC Rule 3745-20-04(A)(3) by failing to adequately wet the RACM during the stripping operation. [Observed on October 17, 2012]

The demolition project violated 40 CFR Part 61.145(c)(6)(i) and OAC Rule 3745-20-04(A)(6)(a) by failing to adequately wet all the RACM and ensure that it remains wet until collected and contained or treated in preparation for disposal. [Observed on October 17, 2012]

The demolition project violated 40 CFR Part 61.150(a)(1)(ii) and OAC Rule 3745-20-05(B)(1)(b) by discharging visible emissions to the outside air from demolition operations. [Observed on October 17, 2012]



The demolition project violated 40 CFR Part 61.150(a)(1)(iv) for failing to label the containers using warning labels specified by Occupational Safety and Health Administration (OSHA) standards. [Observed on October 17, 2012]

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Euclid Beach Mobile Home Park submit the following information:

1. Ohio Environmental Protection Agency's Notification of Demolition and Renovation form
2. Supply the information of the waste transporter
3. Provide the location of the waste disposal site for the construction debris removed from the location of 38 & 40 Lincoln Ave.

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.

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 site address: 38 & 40 Lincoln Ave. Euclid beach Mobile Home Park.

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  
Bob Teare, Euclid Beach Mobile Home Park  
Joan Alvares, Euclid Beach Mobile Home Park  
L:\Data\Facilities\+ Programs\Asbestos\Sites\38 & 40 Lincoln Ave\2012-10-17  
NOV.docx



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
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www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7011 3500 0000 1759 6306  
RETURN RECEIPT REQUESTED

November 14, 2012

James Moore  
Owner  
Euclid Beach Mobile Home Park  
4425 West Airport Freeway, Suite 475  
Irving, Texas 75062

RE: 38 & 40 Lincoln Ave.  
FACILITY ID: UNASSIGNED  
RECEIPT OF CORRECTIVE ACTION PLAN: NESHAP VIOLATIONS

Dear Mr. Moore:

On October 11, 2012, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that Euclid Beach Mobile Home Park (Euclid) in Cleveland an Ohio Environmental Protection Agency's Notification of Demolition and Renovation form, and abate and remove all construction debris located at 38 & 40 Lincoln Ave.

Asbestos demolition 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).

CDAQ is in receipt of a response letter and copies of titles dated October 29, 2012.

In the attachment Euclid sent as an attachment in the highlight portion under Demolition and Renovation Activities, Asbestos Notification, Who must apply, states "In May 1990 Ohio EPA adopted Ohio Administrative Code Chapter 3745-20 which sets into state regulations the National Emission Standard Hazardous Air Pollutants (NESHAP) Standard for Asbestos. These regulations apply to persons involved in demolition or renovation activities."

Also states, "Under the regulations, individuals undertaking a facility demolition project must submit a notification of demolition activity regardless of whether asbestos is involved."

Under the 40 CFR Part 61.141 and OAC Rule 3745-20-01(B)(18) "Facility" means any institutional, commercial, public, industrial or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, or any operation involving the renovation/demolition of multiple residential structures identified by an owner or operator within a scheduled period of time; any ship; and any active or inactive waste disposal site. For purposes of this definition, any structure, installation or building that



contains a loft used as a dwelling is not considered a residential structure, installation or building. Any structure, installation or building that was previously subject to this rule due to its prior use or function is not excluded, regardless of its current use or function.

Under the 40 CFR Part 61.141 "Owner or operator of a demolition or renovation activity" means any person who owns, leases, operates, controls, or **supervises the facility being demolished** or renovated or any person who owns, leases, operates, controls, or supervises the demolition or renovation operation, or both.

Under OAC Rule 3745-20-01(B)(39)(a) "Owner or operator" means: any person who owns, leases, operates, controls, or **supervises the demolition** or renovation, or both.

The operator who demolished 38 & 40 Lincoln Ave, Euclid, was Chuck Ornduff, Property Manager, of Euclid.

On October 17, 2012, CDAQ visited 38 & 40 Lincoln Ave, Euclid and witnessed all the construction debris material and the 40 yard dumpster had been removed from the site.

You are expected to comply with submitting an Ohio Environmental Protection Agency's (EPA) Notification of Demolition and Renovation form, that includes where construction debris material was sent, located at 38 & 40 Lincoln Ave. within fourteen (14) days of your receipt of this letter.

Also, Euclid is required to submit an Ohio EPA Notification of Demolition and Renovation form of any future demolitions located at the Euclid Beach Mobile Home Park properties and be submitted ten (10) days prior to the demolition.

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 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

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 site address: 38 & 40 Lincoln Ave.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ



VW/ms 

cc: John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
Bob Teare, Euclid Beach Mobile Home Park  
Joan Alvares, Euclid Beach Mobile Home Park  
L:\Data\Facilities\+ Programs\Asbestos\Sites\38 & 40 Lincoln Ave\2012-09-28  
RCAP.docx

encl: Demolition and Renovation Activities

If Ohio EPA receives significant comments, the draft permit may be modified and reissued (repeating steps 4 and 5) or denied.

**Step 6.** Ohio EPA issues a final permit. This permit allows the company to begin construction and operation of the source. This typically occurs six months after receiving a complete application. Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Reviews Appeals Commission (ERAC).

**Step 7.** After receiving a final PTI, Title V companies need to complete a Title V permit application or amend their current Title V operating permit to include the new emission sources. Companies receiving a PTIO can install and operate the emission sources as described in the permit.

### What is a general permit?

A general permit (GPTI or GPTIO) is an optional template permit for certain sources. Because they are developed in advance, general permits eliminate

much of the review steps and speed up the permit process. Applicants can preview general permit qualifying criteria and terms and conditions, and then decide whether they would like this permit. General permits are processed much faster than traditional permits, usually within 45 days. General permits sometimes give companies more operational flexibility, and require an abbreviated permit application.

### How much does a permit cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at [www.epa.ohio.gov/portals/47/facts/feeschedule.pdf](http://www.epa.ohio.gov/portals/47/facts/feeschedule.pdf).

### Where can I find more permit information?

Permit application forms, lists of available permit-by-rule categories, general permits and other permit information can be downloaded at [www.epa.ohio.gov/dapc/permits/permits.aspx](http://www.epa.ohio.gov/dapc/permits/permits.aspx). Or, contact your local Ohio EPA district office or LAA to request permit application forms or other permit information.

### Asbestos Notification

#### Who must apply?

In May 1990 Ohio EPA adopted Ohio Administrative Code Chapter 3745-20 which sets into state regulations the National Emission Standard Hazardous Air Pollutants (NESHAP) Standard for Asbestos. These regulations apply to persons involved in demolition or renovation activities.

Under the regulations, individuals undertaking a facility demolition project must submit a notification of demolition activity *regardless of whether asbestos is involved*. The notification is sent to the Ohio EPA district office, Division of Air Pollution Control or local air agency with jurisdiction over the county where the operations will occur. Examples of activities that require notification include demolitions of institutional, commercial, public, industrial or residential structures. This also includes bridges, tunnels, apartments with more than four dwelling units, homes which are part of a development project

What are the applicable rules or laws?

- Clean Air Act
- 40 CFR Part 61, Subpart M
- OAC Chapter 3745-20

(not privately owned), partial demolitions, churches, power plants, parking garages and farms. Privately owned homes, residential structures with four or fewer dwelling units and mobile sources do not require notification.

↳ Cars Trucks mobile homes

If the project is a facility renovation, notification is required when the amount of regulated asbestos-containing material (RACM) which is stripped, removed, dislodged, cut, drilled, or similarly disturbed exceeds 260 linear feet on pipes, 160 square feet on other facility components or 35 cubic feet off facility components.

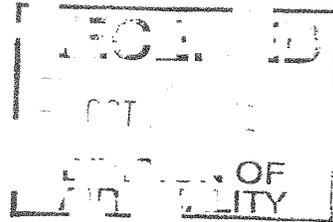
MOORE ENTERPRISES  
4425 W. AIRPORT FRWY #475  
IRVING, TX 75062  
(214) 596-0327  
(214) 596-0328 fax

October 17, 2012

VIA CERTIFIED MAIL

Mr. Mike Samec  
Cleveland Division of Air Quality  
75 Erievue Plaza, Second Floor  
Cleveland, Ohio 44114-1839

Re: 38 & 40 Lincoln Ave.  
Facility ID: Unassigned  
NOTICE OF VIOLATION: NESHAP VIOLATIONS



Dear Mr. Samec:

We are in receipt of your notice of violation received via certified mail on October 15, 2012. Euclid Beach Ltd is not in violation of NESHAP regulations.

The mobile homes located at Euclid Beach Mobile Home Park, are privately owned, Euclid Beach does not have ownership of the trailers.

According to the Asbestos Notification, privately owned homes do not require notification. (Copy of NESHAP rules).

38 Lincoln Drive the owner of the mobile home was Guy Valentine.  
40 Lincoln Drive the owner of the mobile home was Deborah J. Evans.

If you require additional information please do not hesitate to contact the undersigned.

Sincerely,

MOORE ENTERPRISES

  
Joan Alvares  
Controller

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
William MacDowell, U.S. EPA Region V

Enclosures

EB

BMV 3800 Rev. 5/04

**OHIO CERTIFICATE OF TITLE**

ISSUING ENTITY CUYAHOGA RESIDENT ENTITY CUYAHOGA

STATE OF OHIO ORIGINAL MOBILE HOME No. 18 0908 7578 12/30/2010 1894E 0A7B

IDENTIFICATION NUMBER C10HC6X760122 COMMENTS PURCHASE PRICE \$800.00 BODY TYPE MODEL MODEL DESCRIPTION MAKE YEAR MAKE DESCRIPTION

MANUFACTURED GUY VALENTINE III 38 LINCOLN OR CLEVELAND, OH 44110 FREQUENT OWNER EQUITY TRUST COMPANY CUSTODIAN FBO DAN GILMORE IRA 38 LINCOLN OR CLEVELAND, OH 44110

LIEN DISCHARGE

LIEN DISCHARGE

BY: \_\_\_\_\_ date \_\_\_\_\_  
 AUTHORIZED SIGNATURE \_\_\_\_\_ date \_\_\_\_\_  
 CLERK OF COURTS LIEN CANCELLATION

BY: \_\_\_\_\_ date \_\_\_\_\_  
 AUTHORIZED SIGNATURE \_\_\_\_\_ date \_\_\_\_\_  
 CLERK OF COURTS LIEN CANCELLATION

WITNESS MY HAND AND OFFICIAL SEAL THIS 30TH DAY OF DECEMBER, 2010

(SEAL) *Gerald E. Fuerst*

GERALD E. FUERST CLERK OF COURTS

\* % 1 0 5 0 0 8 5 1 2 \*

% 105008512

DO NOT ACCEPT TITLE SHOWING ANY ERASURES, ALTERATIONS OR MUTILATIONS

BMV 3800 Rev. 5/04

EB

IDENTIFICATION NUMBER  
52974311322

COMMENTS

DEBORAH J. EVANS  
40 LINCOLN DRIVE  
CLEVELAND, OH 44110  
PREVIOUS OWNER  
JAMES E. MAYO  
40 LINCOLN DR  
CLEVELAND, OH 44110

LIEN DISCHARGE

LIEN DISCHARGE

by: \_\_\_\_\_ date \_\_\_\_\_  
Authorized signature  
CLERK OF COURTS LIEN CANCELLATION

by: \_\_\_\_\_ date \_\_\_\_\_  
Deputy Clerk

WITNESS MY HAND AND OFFICIAL SEAL THIS 31st DAY OF AUGUST, 2007  
(SEAL)

*Gerald E. Fuerst*

GERALD E. FUERST  
CLERK OF COURTS  
WARDEN

\* 0 8 3 3 1 7 7 1 6 \*

7083317716

%083317716

DO NOT ACCEPT TITLE SHOWING ANY ERASURES, ALTERATIONS OR MUTILATIONS

VOID IF ALTERED

VOID IF ALTERED

STATE OF OHIO  
ORIGINAL  
MOBILE HOME  
ISSUE DATE 08/31/2007

RESIDENT CITY CUYAHOGA  
CUYAHOGA

YEAR 1980  
MAKE DESCRIPTION ELCO ELCONA

MODEL DESCRIPTION BH MAL MAL

EXPERT INVOICE \$200.00

MILEAGE 14301745075

NO ODOM OH 4301745075

COMMISSION

BRAND (S)

DUNER

DEBORAH J. EVANS

40 LINCOLN DRIVE

CLEVELAND, OH 44110

PREVIOUS OWNER

JAMES E. MAYO

40 LINCOLN DR

CLEVELAND, OH 44110

LIEN DISCHARGE

LIEN DISCHARGE

by: \_\_\_\_\_ date \_\_\_\_\_  
Authorized signature  
CLERK OF COURTS LIEN CANCELLATION

by: \_\_\_\_\_ date \_\_\_\_\_  
Deputy Clerk

WITNESS MY HAND AND OFFICIAL SEAL THIS 31st DAY OF AUGUST, 2007  
(SEAL)

*Gerald E. Fuerst*

GERALD E. FUERST  
CLERK OF COURTS  
WARDEN

\* 0 8 3 3 1 7 7 1 6 \*

7083317716

%083317716

DO NOT ACCEPT TITLE SHOWING ANY ERASURES, ALTERATIONS OR MUTILATIONS

VOID IF ALTERED

VOID IF ALTERED

BMV 3900 Rev. 5/04

If Ohio EPA receives significant comments, the draft permit may be modified and reissued (repeating steps 4 and 5) or denied.

**Step 6.** Ohio EPA issues a final permit. This permit allows the company to begin construction and operation of the source. This typically occurs six months after receiving a complete application. Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Reviews Appeals Commission (ERAC).

**Step 7.** After receiving a final PTI, Title V companies need to complete a Title V permit application or amend their current Title V operating permit to include the new emission sources. Companies receiving a PTIO can install and operate the emission sources as described in the permit.

A general permit (GPTI or GPTIO) is an optional template permit for certain sources. Because they are developed in advance, general permits eliminate

much of the review steps and speed up the permit process. Applicants can preview general permit qualifying criteria and terms and conditions, and then decide whether they would like this permit. General permits are processed much faster than traditional permits, usually within 45 days. General permits sometimes give companies more operational flexibility, and require an abbreviated permit application.

For a current listing of fees, refer to Ohio EPA's Fee Schedule at [www.epa.ohio.gov/portals/47/facts/feeschedule.pdf](http://www.epa.ohio.gov/portals/47/facts/feeschedule.pdf).

Permit application forms, lists of available permit-by-rule categories, general permits and other permit information can be downloaded at [www.epa.ohio.gov/dapc/permits/permits.aspx](http://www.epa.ohio.gov/dapc/permits/permits.aspx). Or, contact your local Ohio EPA district office or LAA to request permit application forms or other permit information.

- What are the regulatory requirements?
- Clean Air Act
  - 40 CFR Part 61, Subpart M
  - OAC Chapter 3745-20

(not privately owned), partial demolitions, churches, power plants, parking garages and farms. Privately owned homes, residential structures with four or fewer dwelling units and mobile sources do not require notification.

↳ Cars, Trucks, mobile homes

If the project is a facility renovation, notification is required when the amount of regulated asbestos-containing material (RACM) which is stripped, removed, dislodged, cut, drilled, or similarly disturbed exceeds 260 linear feet on pipes, 160 square feet on other facility components or 35 cubic feet off facility components.



City of Cleveland  
Frank G. Jackson, Mayor

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

**CERTIFIED MAIL 7011 3500 0000 1759 6344  
RETURN RECEIPT REQUESTED**

December 10, 2012

James Moore  
Owner  
Euclid Beach Mobile Home Park  
4425 West Airport Freeway, Suite 475  
Irving, Texas 75062

**RE: 38 & 40 Lincoln Ave.  
PROJECT ID: UNASSIGNED  
RESOLUTION OF VIOLATIONS  
NOTICE OF VIOLATION: FOLLOW-UP LETTER**

Dear Mr. Moore:

On October 11 and October 22, 2012, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Euclid Beach Mobile Home Park (Euclid) to submit the following information:

1. Ohio Environmental Protection Agency's Notification of Demolition and Renovation form (Notification)
2. Supply the information of the waste transporter
3. Provide the location of the waste disposal site for the construction debris removed from the location of 38 & 40 Lincoln Ave.

CDAQ is in receipt of a faxed Notification providing information of the waste transporter and waste disposal site on November 29, 2012. The Notification submitted was incomplete because not all the required sections were completed. Please note for future reference, that an original Notification must be mailed or hand delivered.

Additionally, CDAQ sampled two bulk pieces of material on October 17, 2012. The samples were sent to EA Group to be analyzed for asbestos containing material. On October 23, 2012, EA Group sent the lab results by fax; both samples tested negative for asbestos containing material.

Any future demolitions scheduled to take place at Euclid will be required to complete an asbestos survey and submit a Notification to CDAQ.

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 site address: 38 & 40 Lincoln Ave. Euclid Beach Mobile Home Park.

Sincerely,

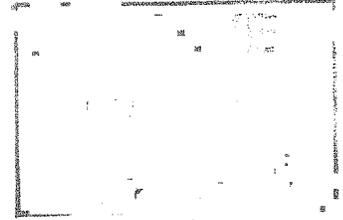
A handwritten signature in cursive script that reads "Valencia White".

Valencia White  
Chief of Enforcement, CDAQ

VW/ms

cc: John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
Bob Teare, Euclid Beach Mobile Home Park  
Joan Alvares, Euclid Beach Mobile Home Park  
L:\Data\Facilities\+ Programs\Asbestos\Sites\38 & 40 Lincoln Ave\2012-09-28  
RTC.docx

**EUCLID BEACH LTD**  
**4425 WEST AIRPORT FREEWAY**  
**Suite 475**  
**IRVING, TEXAS 75062**  
**(214) 596-0327 FAX (214) 596 0328**



November 14, 2012

Mike Samec  
Cleveland Division of Air Quality  
75 Erieview Plaza, 2<sup>nd</sup> Floor  
Cleveland, Ohio, 44114

Re: 38 & 40 Lincoln Ave. Euclid Beach Mobile Home Park  
FACILITY ID: UNASSIGNED – 2<sup>ND</sup> NOTICE OF VIOLATION: NESHAP VIOLATIONS

Dear Mr. Samec:

We are in receipt of your letter dated October 22, 2012 with respect to the above mentioned violation.

Euclid Beach Ltd. does not admit to any violation of EPA codes under NESHAP.

Per your letter I am working on providing you with our contractor for waste removal and the disposal site used by our trash provider please allow me 14 days from date of this letter to obtain the information.

Sincerely,

EUCLID BEACH LTD.

  
Joan Alvares  
Director of Business & Finance

**OHIO ENVIRONMENTAL PROTECTION AGENCY  
NOTIFICATION OF DEMOLITION AND RENOVATION**

Operator Project #	Postmark	Date Received <u>11/29/12</u> <i>MS</i>	Notification #				
<b>I. Type of Notification (check one):</b> <input checked="" type="checkbox"/> Original <input type="checkbox"/> Revised <input type="checkbox"/> Canceled							
<b>II. Facility Description (include building name, number, and floor or room number)</b>							
Building Name: <u>mobile home -</u>							
Address: <u>38 &amp; 40 Lincoln Dr</u>							
City: <u>Cleveland</u>		State: <u>OHIO</u> Zip Code: <u>44110</u> County: <u>Cuy</u>					
Site Location (specific): <u>38 &amp; 40 Lincoln Dr Cleveland, OH 44110</u>							
Building Size (square feet):		# of Floors: <u>1</u> Age in Years: <u>35/32</u>					
Present Use: <u>none / abandoned</u>		Prior Use: <u>residential</u>					
<b>III. Type of Operation (check one):</b> <input checked="" type="checkbox"/> Demo <input type="checkbox"/> Ordered Demo <input type="checkbox"/> Renovation <input type="checkbox"/> Emergency Renovation <input type="checkbox"/> Fire Training							
<b>IV. Is Asbestos Present? (check one):</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
<b>V. Facility Information</b>							
Owner Name: <u>Evy Valentine / Deborah Evans</u>							
Address: <u>*38 Lincoln Dr</u> <u>*40 Lincoln Dr</u>							
City: <u>Cleveland</u>		State: <u>OH</u> Zip Code: <u>44110</u>					
Contact: _____		Telephone: ( ) _____ Fax: ( ) _____					
Removal Contractor Name: _____ License # _____							
Address: _____							
City: _____		State: _____ Zip Code: _____					
Contact: _____		Telephone: ( ) _____ Fax: (614) _____					
Other Operator (demolition/general): <u>Euclid Beach LP</u> License # _____							
Address: <u>15 Washington Blvd</u>							
City: <u>Cleveland</u>		State: <u>OH</u> Zip Code: <u>44110</u>					
Contact: <u>Michelle Orndoff</u>		Telephone: <u>(216) 481-7577</u> Fax: <u>(216) 481-5324</u>					
<b>VI. Procedure, including analytical methods, employed to detect the presence of and to estimate the quantity of RACM and Category I and Category II nonfriable ACM:</b>							
Ohio Asbestos Hazard Evaluation Specialist: _____							
Name		Certification #					
<b>VII. Approximate Amount of Asbestos Materials:</b>							
	RACM to be Removed	Nonfriable Asbestos Material to be Removed		Nonfriable Asbestos Material NOT to be Removed			
		Category I	Category II	Category I	Category II		
Pipes (linear feet)							
Surface Area (square feet)							
Facility Components (cubic feet)							
<b>VIII. Scheduled Dates Demolition or Renovation:</b> Start: <u>9/25/12</u> Complete: <u>9/28/12</u>							
<b>IX. Dates for Asbestos Removal (MM/DD/YY)</b> Start: _____ Complete: _____							
Days of the Week:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of Operation:							
Complete all unshaded spaces, except demolitions which involve less than 260 linear feet, 160 square feet, or 35 cubic feet of RACM, need not complete spaces XI, XII, XIII, XIV, and XV. Notifications for Emergency Demolition or Emergency Renovation must supply attachments.							

**OHIO ENVIRONMENTAL PROTECTION AGENCY  
NOTIFICATION OF DEMOLITION AND RENOVATION**

Page 2 of 2

**X. Description of planned Demolition or Renovation work to be performed and method(s) to be employed, including demolition or renovation techniques to be used and description of affected facility components:**  
homes are broken down with trac-hoe and skid steer, debris is put into 30 yrd dumpsters and removed

**XI. Description of work practices and engineering controls to be used to comply with the requirements, including asbestos removal and waste handling emission control procedures:**  
will call in a company to do this

**XII. Waste Transporter #1**  
Name: Republic Waste  
Address: 8123 Jones Rd  
City: Cleveland State: OH Zip Code: 44105  
Contact: \_\_\_\_\_ Telephone: (216) 741-8113 Fax: ( )  
**Waste Transporter #2**  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Contact: \_\_\_\_\_ Telephone: ( ) Fax: ( )

**XIII. Waste Disposal**  
Name: Elan Willow Transfer Station - sorted & recycled  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Contact: \_\_\_\_\_ Telephone: ( ) Fax: ( )

**XIV. Emergency Demolition (complete Item XIV and all other sections, only if this project is an Emergency Demo.)**  
1. Attach a copy of the Order to this notice.  
2. Name of Authority Issuing Order: N/A Title: \_\_\_\_\_  
3. Authority of Order (Citation of Code): \_\_\_\_\_  
4. Date of Order (MM/DD/YY): \_\_\_\_\_ Date Ordered to Begin: \_\_\_\_\_

**XV. Emergency Renovation (Attach separate sheet with the following information if project is Emergency Reno.)**  
1. Date and Hour of the Emergency  
2. Description of the Sudden, Unexpected Event  
3. Explanation of how the event caused unsafe conditions or equipment damage or an unreasonable financial burden.

**XVI. Description of procedures to be followed in the event that unexpected RACM is found or nonfriable ACM becomes crumbled, pulverized or reduced to powder.**  
Call in a professional to remove

**XVII. I certify that an individual trained in the provisions of NESHAPS (40 CFR PART 61, SUBPART M) will be on-site during the Demolition or Renovation and evidence that the required training has been accomplished by this person will be available during normal business hours.**

Signature of Owner/Operator \_\_\_\_\_ Date \_\_\_\_\_ Type or Print Name and Title \_\_\_\_\_

**XVIII. I acknowledge the existence of laws prohibiting the submission of false or misleading statements and I certify that facts contained in this notification are true, accurate, and complete.**  
Michelle Orndoff \_\_\_\_\_ Michelle Orndoff - Property Manager  
Signature of Owner/Operator Property Mngt. Date 11/29/12 Type or Print Name and Title

Original Notification must be mailed or hand delivered at least ten working days (Monday-Friday excluding weekends) before demolition or renovation begins, except emergency demolitions and emergency renovations (see regulation) which must be submitted as soon as possible before operations begin, but no later than the following work day. (Form Revised 1/5/09)

# AVOID DELAYS - FILL OUT COMPLETELY RUSH TURNAROUND TIMES MUST BE CONFIRMED BY EAG



## CHAIN OF CUSTODY BULK ASBESTOS ONLY PLEASE DO NOT SEPARATE FORMS

EAG WORK ORDER # \_\_\_\_\_  
PAGE \_\_\_\_\_ OF \_\_\_\_\_

7118 INDUSTRIAL PARK BLVD. MENTOR, OHIO 44060-5314  
(440) 951-3514 FAX (440) 951-3774 (800) 875-3514  
website: www.eagroup-ohio.com customerservice@eagroup-ohio.com

Company Name <b>CB4Q</b>		
Report Address <b>75 Ericview Plaza</b>		
Billing Address <b>75 Ericview Plaza</b>		
City <b>Cleveland</b>	State <b>OH</b>	Zip <b>44114</b>
Phone <b>216-420-7682</b>	Fax <b>216-420-8047</b>	
Report Attention <b>Mike Samec</b>		
Project Name <b>Euclid Beach Mobile Home Park</b>		
P.O. #		

TURNAROUND (✓)
RUSH <input checked="" type="checkbox"/>
NORMAL <input checked="" type="checkbox"/>

LABORATORY PROCEDURE	
ASBESTOS COMPOSITE	ASBESTOS LAYERED
FULL ANALYSIS: ASBESTOS / NON-ASBESTOS	
POINT COUNT APPROVED	

SAMPLE IDENTIFICATION	MATRIX	COLLECTION DATE			
#01 Drywall	ground	10/17/12			X
#02 Drywall w/paper	ground	10/17/12			X

Fax Results     Email Results (.pdf)    Email Address \_\_\_\_\_

Method of Shipment: EAG Client Fed Ex UPS Other \_\_\_\_\_

**Explanation of Laboratory Procedures:**

EA Group employs EPA Method 600/R-93/116 in the analysis of bulk materials for asbestos content by polarized light microscopy (PLM).

Composite Analysis – Sample will be composited and a single result will be reported for asbestos content. Point Count is NOT applicable to this analysis.

Layered Analysis – Individual layers will be analyzed separately. The report will not include non-asbestos components.

Full Analysis – Individual layers will be analyzed separately. The report will include asbestos and non-asbestos components.

Point Count – The point count procedure is typically used to quantify asbestos in samples previously quantified by the Visual Estimation Method. A separate charge applies for each sample that is point counted. This method is NOT applicable to Composite Analysis.

Relinquished by (sign) <i>Mike Samec</i>	Date/Time 10/17/12 12:15pm	Received by (sign)	Date/Time
Relinquished by (sign)	Date/Time	Received by (sign)	Date/Time
Relinquished by (sign)	Date/Time	Received by (sign)	Date/Time



## EA GROUP

Environmental Analysis  
and Management

City of Cleveland, APC  
75 Erieview Plz., Floor 2  
Cleveland, OH 44114  
Mike Samec

Client Project Euclid Beach Mobile Home Park

EA Group Workorder Number: 121000289

Received on October 19, 2012

The following analytical report contains results as requested for samples submitted to EA Group. The results included in this report have been reviewed for compliance with the analytical methods indicated in this report. All data has been found to be compliant with accepted laboratory protocol, except as noted in the QC narrative. Industrial hygiene reports, air and/or surface concentrations results are based upon sampling information provided by the client. Industrial hygiene results will not be blank corrected. Analyst initials of REF indicate analysis performed at a subcontract facility.

If you have questions, comments or require further assistance regarding this report, please contact your client services representative or one of the individuals listed below.

Data or reporting:

Jeff Herbert - Lab Manager  
jherbert@eagroupohio.com

Debbie Lauer - QA Manager  
dlauer@eagroupohio.com

Sample tracking, supplies:

Lisa Foose - Sample Control  
sreceiving@eagroupohio.com

Mike Herbert - Supervisor  
mherbert@eagroupohio.com

Invoice Related:

Bonnie Renbarger - Office Manager  
brenbarger@eagroupohio.com

Reproduction of this report is prohibited except in its entirety. Unless noted, soil, sludge and sediment results are reported on dry weight basis. The "Sample Reporting Limit" is based on the method used for analysis and does not refer to any regulatory limit. These results relate only to the items tested.



# EA GROUP

Environmental Analysis  
and Management

## Laboratory Analytical Report

City of Cleveland, APC  
75 Erieview Plz., Floor 2  
Cleveland, OH 44114

Attention:  
Mike Samec

**Project Identification**  
Euclid Beach Mobile Home Park

**Purchase Order:**

EA Group  
Order Number  
1210-00289

Carl R. Eggebraaten  
Microscopist

Jeffrey A. Herbert  
Laboratory Manager

October 23, 2012

**EA GROUP**Environmental Analysis  
and Management**Project Summary**

The following analytical report contains the results as requested for samples submitted to EA Group. The results included in this report have been reviewed for compliance with the analytical methods indicated in this report. All data have been found to be compliant with accepted laboratory protocol. Exceptions, if any, are noted below. Quantification is accurate to within +/- 10%.

**Sample Summary**

Sample Receive Date: 10/19/2012

EAG	Client	EAG	Client
<u>Sample Identification</u>	<u>Sample Identification</u>	<u>Sample Identification</u>	<u>Sample Identification</u>
121000289-01A	#01	121000289-02A	#02

**Quality Control Narrative**

Reproduction of this report is prohibited except in its entirety. Unless noted, soil, sludge, and sediment results are reported on dry weight basis. The "Sample Reporting Limit" is based on the method used for analysis and does not refer to any regulatory limit.



## EA GROUP

Environmental Analysis  
and Management

Page: 1

Workorder: 1210-00289

-----

**EAG ID:** 1210-00289-01A      **Client ID:** #01      **Matrix:** Bulk  
**Date Sampled:** 10/17/2012      **Date Received:** 10/19/2012      **Date Analyzed:** 10/22/2012      **Analyst:** CRE

<u>Parameter</u>	<u>Result</u>	<u>Description</u>
Bulk Asbestos Analysis		
% Chrysotile Asbestos	ND	
% Amosite Asbestos	ND	
% Crocidolite Asbestos	ND	
% Other Asbestos Fibers	ND	
% Cellulose	ND	
% Fibrous Glass	3	
% Other Non-Asbestos Fibers	ND	
% Other Non-Asbestos Mat'ls	97	
Analysis Comments	NA	
<b>Sample Physical Description:</b>	White drywall	

-----

**EAG ID:** 1210-00289-02A      **Client ID:** #02      **Matrix:** Bulk  
**Date Sampled:** 10/17/2012      **Date Received:** 10/19/2012      **Date Analyzed:** 10/22/2012      **Analyst:** CRE

<u>Parameter</u>	<u>Result</u>	<u>Description</u>
Bulk Asbestos Analysis		
% Chrysotile Asbestos	ND	
% Amosite Asbestos	ND	
% Crocidolite Asbestos	ND	
% Other Asbestos Fibers	ND	
% Cellulose	5	
% Fibrous Glass	3	
% Other Non-Asbestos Fibers	ND	
% Other Non-Asbestos Mat'ls	92	
Analysis Comments	NA	
<b>Sample Physical Description:</b>	White drywall	



## EA GROUP

Environmental Analysis  
and Management

Workorder: 121000289

These bulk samples were analyzed as received for percentage composition of Asbestos and Non-Asbestos materials by Method(s) EPA-600/M4-82-020, December 1982 and/or EPA/600/R 93/116 July 1993, which have Detection Limits of less than 1% Asbestos.

Asbestos Containing Materials (ACM) and Presumed Asbestos Containing Materials (PACM) are regulated by several different governmental regulatory agencies.

EPA NESHAP regulations cover certain buildings that are to be renovated or demolished. NESHAP regulations require that when a sample (or layer of a multi-layered sample) is analyzed and found to contain asbestos at a concentration of less than 10% by a method other than point counting by Polarized Light Microscopy (PLM), the owner/operator has the option of:

1) Assuming the amount to be greater than 1% and treating the material as regulated ACM.

OR

2) Requesting verification of the amount by point counting.

Building owners/operators covered by NESHAP should review the following for the full and specific regulations:

- 1) Federal Register, Vol. 55, No. 224, Tuesday, November 20, 1990
- 2) Clarification of NESHAP requirement to perform point counting, May 8, 1991
- 3) Federal Register, Vol. 59, No. 3, Wednesday, January 5, 1994
- 4) Federal Register, Vol. 59, No. 146, Monday, August 1, 1994
- 5) Federal Register, Vol. 60, No. 243, Tuesday, December 19, 1995

Building owners/operators and employers covered by OSHA regulations also have specific requirements regarding ACM and PACM. Those who may be covered by these regulations should review 29 CFR 1910.1001 and 29 CFR 1926.1101 for specific requirements.

FLOOR TILES: PLM should only be considered a screening method for floor tile analysis. Any floor tile with a result of one percent or less asbestos by PLM should be assumed positive for asbestos until the sample is re-analyzed by Analytical Electron Microscopy.

Other difficult matrices (such as bituminous, organically bound, and cementitious materials) may obscure very small asbestos fibers. Some samples may also contain asbestos fibers with diameters below the limit of resolution of the optical microscopes used in typical PLM analysis. Therefore, negative results by PLM on these materials should be confirmed by Analytical Electron Microscopy.

EA Group has a sample retention policy of sixty (60) days. After that time, the samples will be disposed of unless the client has requested that they be returned. The client will be charged a shipping and handling fee associated with returned samples only.

Key to analysis comments (if noted on samples):

- \* Asbestos content in this sample has been verified by the Chalkley point counting procedure.
- \*\* The client has the option of requesting verification of this analytical result by point counting as specified by the NESHAP standards.
- \*\*\* Insufficient sample amount for quantitation and/or performing Quality Control functions.
- \*\*\*\* Due to the nature of the sample (dust, debris, or vacuum), percentages for the constituents could not be assigned.
- + After gravimetric reduction, the residue has been visually estimated as at least 10% asbestos. Therefore, point counting is not required to satisfy NESHAP requirements.
- ++ Contains fibers that may be an asbestos mineral but could not be positively identified by PLM. Analysis by Transmission Electron Microscopy (TEM) is recommended.
- +++ See additional comment on conclusions page.

ND	None Detected
Trace	Observed but less than 1%
NH	Non-Homogeneous sample, the result reflects the average.
Und. non-asb	Undetermined non-asbestos fibers

This report applies only to sample(s) analyzed and may not be used by the client to claim product certification, approval, or endorsement by NVLAP or any agency of the U.S. Government.

**AVOID DELAYS - FILL OUT COMPLETELY  
RUSH TURNAROUND TIMES MUST BE CONFIRMED BY EAG**



**EAGROUP**

**CHAIN OF CUSTODY  
BULK ASBESTOS ONLY  
PLEASE DO NOT SEPARATE FORMS**

EAG WORK ORDER # 289  
PAGE \_\_\_\_\_ OF \_\_\_\_\_



7118 INDUSTRIAL PARK BLVD. MENTOR, OHIO 44060-5314  
(440) 951-3514 FAX (440) 951-3774 (800) 875-3514  
website: www.eagroup-ohio.com customerservice@eagroup-ohio.com

Company Name <u>CDAQ</u>			TURNAROUND (✓)		LABORATORY PROCEDURE	
Report Address <u>75 Erieview Plaza</u>			RUSH <input checked="" type="checkbox"/>		ASBESTOS COMPOSITE	ASBESTOS LAYERED
Billing Address <u>75 Erieview Plaza</u>			NORMAL <input checked="" type="checkbox"/>			
City <u>Cleveland</u>	State <u>OH</u>	Zip <u>44114</u>			POINT COUNT APPROVED	
Phone <u>216-420-7682</u>	Fax <u>216-420-8047</u>					
Report Attention <u>Mike Samec</u>						
Project Name <u>Euclid Beach Mobile Home Park</u>						
P.O. #						

SAMPLE IDENTIFICATION	MATRIX	COLLECTION DATE	ASBESTOS COMPOSITE	ASBESTOS LAYERED	FULL ANALYSIS: ASBESTOS / NON-ASBESTOS	POINT COUNT APPROVED
#01 Dry wall	ground	10/17/12			X	
#02 Drywall w/paper	ground	10/17/12			X	

ALL SERVICES WILL BE PERFORMED IN ACCORDANCE WITH EA GROUP STANDARD TERMS AND CONDITIONS

Fax Results  Email Results (pdf)

Method of Shipment:  EAG  Client  Fed Ex  UPS  Other

**Explanation of Laboratory Procedures:**

EAG Group employs EPA Method 600/R-93/116 in the analysis of bulk materials for asbestos content by polarized light microscopy (PLM).

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Relinquished by (sign) <u>Mike Samec</u>	Date/Time <u>10/17/12 12:15pm</u>	Received by (sign) <u>[Signature]</u>	Date/Time <u>10/17/12 1:26</u>
Relinquished by (sign) <u>[Signature]</u>	Date/Time <u>10/19/12 2:00</u>	Received by (sign) <u>[Signature]</u>	Date/Time <u>10/19/12 1400</u>
Relinquished by (sign)	Date/Time	Received by (sign)	Date/Time