



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 2000 0002 6936 3273  
RETURN RECEIPT REQUESTED

December 13, 2012

Eric Witherspoon  
President  
Arick's Environmental Management Service, Inc.  
19718 Kings Highway  
Cleveland, OH 44122-6720

RE: Demolition project at 3912 Storer Avenue  
PROJECT ID: CL 13 363  
NOTICE OF VIOLATION: NESHAP-Asbestos Violations

Dear Mr. Witherspoon:

On November 28, 2012, the Cleveland Division of Air Quality (CDAQ) inspected the demolition project located at 3912 Storer Avenue in Cleveland. This letter serves as notification that Arick's Environmental Management Service completed an asbestos removal project that was in violation of the National Emission Standard for Hazardous Air Pollutants (NESHAP). Asbestos removal projects are subject to compliance with the Asbestos 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).

When CDAQ inspected the asbestos removal phase of the demolition project, the following deficient work practices were observed:

- An impermeable dropcloth was not used while working on the east face of the house.
- The regulated asbestos-containing materials (RACM) were not adequately wet during the disjoining operation. This is in violation of 40 CFR 61.145(c)(3) and Ohio Administrative Code (OAC) Rule 3745-20-04(A)(3).
- The shingles were allowed to fall to the ground instead of being carefully lowered. The failure to carefully lower the RACM to the ground, not dropping or otherwise damaging the RACM, is a violation of 40 CFR 61.145(c)(6)(ii) and OAC Rule 3745-20-04(A)(6)(b).

Unless you undertake some type of corrective action with respect to the above noted violations, you will be in non-compliance at your next asbestos shingle removal project. These deficient work practices must be corrected at your next asbestos removal project. In addition, CDAQ requests that Arick's Environmental Management Service submit a written response indicating how the above-noted deficiencies will be corrected at future transite shake shingle removal projects. Your written response must be submitted within 14 days of receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, you must submit a written response and 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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA project identification number for the 3912 Storer Avenue demolition project: CL 13 363.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/dlw

cc: James Maher, Cuyahoga County Land Reutilization Corp.  
George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
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M.B.E

19718 Kings Highway, Warrensville Heights, OH 44122  
Office: (216) 751-2118 Fax: (216) 767-1460 Cell: (216) 469-2427  
AemsInc19718@aol.com

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December 24, 2012

Arick's Environmental Management Services, INC.  
19718 Kings Highway  
Warrensville Hts., Ohio 44122

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

Project ID: CL 13 363

RE: 3912 Storer Ave  
Cleveland, Ohio

In response to the letter received on the 13<sup>th</sup> day of December 2012 in regards to the property located on 3912 Storer Ave. addressing violations received for the Asbestos Removal Project.

Arick's Environmental Management Services, Inc. performed Asbestos Abatement at the above location. According to the Cleveland Division of Air Quality (CDAQ) they stated that they observed:

- That an impermeable drop cloth was not used while working on the east face of the house.
- That regulated asbestos-containing material (RACM) were not adequately wet during the disjoining operation. In violation of 40 CFR 61.145(c)(3) and rule OAC Rule 3745-20-04(A)(3).
- The Shingles were allowed to fall to the ground instead of being carefully lowered. In violation of 40 CFR 61.145(c)(6)(ii) and rule OAC Rule 3745-20-04(A)(6)(b).

# Arick's

Environmental Management Services



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## Work Plan:

We will prep the notated facility with layers of reinforced 6 mil poly covering the surface areas in preparation for the removal process. All exterior transite will be adequately wet to ensure the minimization of any particles from becoming airborne while the abatement is in progress. We will effectively prepare, remove, wrap and lower any regulated asbestos-containing material (RACM) transite without disturbing the material and cause them to crumble while remaining in accordance to OAC Rule(s) 3745-20-04(A)(6)(b) that states: *Carefully lower the materials to the ground or floor not dropping, throwing, sliding or otherwise damaging or disturbing the material* and OAC Rule 3745-20-04(A)(3) that states: *Adequately wet regulated asbestos-containing materials when they are being stripped from facility components. In renovation operations, wetting that would unavoidably damage equipment or cause an unreasonable safety hazard, Unless contact with the director is made and provisions to the work plan are necessary and approved.* When all compliances are met after removal, all material will be disposed of at Minerva Landfill and instructed to remain wet during transport.

Alfred Jones,  
Project Manager/Site Supervisor

Dianna L. Perry,  
Executive Secretary