



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**

HAND DELIVERED

December 26, 2012

Ed Rumph
Owner
Lee Environmental Cleaning
11212 Avon Suite 102
Cleveland, Ohio 44105

**RE: 3191 West 90th Street
PROJECT ID: CL 13 562
NOTICE OF VIOLATION: NESHAP VIOLATIONS**

Dear Mr. Rumph:

On December 18, 2012, the Cleveland Division of Air Quality (CDAQ) inspected 3191 West 90th Street located 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).

Lee Environmental Cleaning (Lee) violated 40 CFR Part 61.145(c)(6)(ii) and OAC Rule 3745-20-04(A)(3) for dropping the transite paneling which became Regulated Asbestos Containing Material (RACM) during the removal process. [Observed on December 18, 2012]

Lee violated 40 CFR 61.145(c)(3) and (6) and OAC Rule 3745-20-04(A)(3) and (6) for failing to adequately wet RACM during the removal. [Observed on December 18, 2012]

Lee violated 40 CFR 61.150(a)(1) and OAC Rule 3745-20-05(B)(1) for the failure to wet and seal all asbestos-containing waste material in leak-tight containers while wet. [Observed on December 18, 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 Lee submit a corrective action plan indicating how the above noted deficiencies will be corrected during future transite removal projects, 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.

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 project identification number for 3191 West 90th Street: CL 13 562.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ms

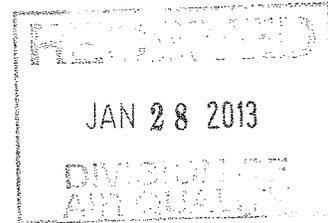
cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
Jim Maher, Cuyahoga County Land Bank
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LEE ENVIRONMENTAL CLEANING, INC.

January 23, 2013

VIA U.S. Mail

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



Re: 8191 West 90th Street; Project ID: CL 18 562

Dear Mr. Samec:

I apologize for the delay in this response to the aforementioned. I have been sick with the flu and inadvertently failed to address your correspondence.

Lee Environmental has reinforced its Asbestos Abatement Policy, that has been previously sent to you, by directing its employees to follow all established procedures. If an employee fails to adhere to such standards, the employee will be subjected to disciplinary action.

Lee Environmental Cleaning is committed to adapting any and all of its procedures in conformance with EPA regulations and seeks any and all assistance and feedback from the Cleveland Division of Air Quality.

Sincerely yours,

Kenneth McElroy, Administrator

Lee Environmental Cleaning, Inc.