



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
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Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

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

**CERTIFIED MAIL 7011 3500 0000 1759 9017
RETURN RECEIPT REQUESTED**

January 25, 2013

Edward Jones
President
JF Construction and Environmental
4017 E. 146th St.
Cleveland, OH 44128-1840

**RE: Demolition project at 8214 Dorver Avenue
PROJECT ID: CL 13 742
NOTICE OF VIOLATION: NESHAP-Asbestos Violations**

Dear Mr. Jones:

On January 8 and 9, 2013, the Cleveland Division of Air Quality (CDAQ) inspected the demolition project located at 8214 Dorver Avenue in Cleveland. This letter serves as notification that JF Construction and Environmental 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:

- The regulated area wasn't demarcated.
- The regulated asbestos-containing material (RACM) was not carefully lowered to the ground after stripping from the facility. This is a violation of 40 CFR 61.145(c)(6)(ii) and OAC Rule 3745-20-04(A)(6)(b).
- The RACM was not adequately wetted while it was being stripped. This is a violation of 40 CFR 61.145(c)(3) and OAC Rule 3745-20-04(A)(3).
- The RACM was not adequately wet after it had been collected for disposal. This is a violation of 40 CFR 61.145(c)(6)(i) and OAC Rule 3745-20-04(A)(6)(a).

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 JF Construction and Environmental 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 which includes 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 8214 Dorver Avenue demolition project: CL 13 742.

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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