



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 7012 2210 0000 5209 3282
RETURN RECEIPT REQUESTED**

March 14, 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
RESOLUTION OF VIOLATIONS
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Jones:

On January 25, 2013, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation (NOV) requiring JF Construction and Environmental (JF Construction) to submit a corrective action plan for future transite shake shingle removal projects. The NOV asked JF Construction to address the following deficient work practices:

- The regulated area wasn't demarcated.
- The regulated asbestos-containing materials (RACM) were not carefully lowered to the ground after stripping from the facility.
- The RACM was not adequately wetted while it was being stripped.
- The RACM was not adequately wet after it had been collected for disposal.

CDAQ received a corrective action plan from JF Construction on February 6, 2013. According to that correction plan, JF Construction will perform the following steps when removing transite shingles:

- JF Construction will use a JLG-type lift as a work platform
- The regulated area will remain visible at all times.
- JF Construction will use rice bag and a 6-mil lined plastic container to lower the stripped material.
- JF Construction will use wet methods.
- JF Construction will wet any material that falls to the ground and then put in rice bags.

CDAQ issued a Receipt of Corrective Action Plan on February 12, 2013. It asked JF Construction to provide additional details about the method for carefully lowering the ACM transite to the ground.

JF Construction sent a second letter on February 20, 2013. JF Construction pledged to tie a rope to the bag prior to lowering it to the ground.

CDAQ received the corrective action plans in a timely manner and 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. All correspondence with CDAQ must include the Ohio EPA project identification number for 8214 Dorver Avenue: 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

L:\Data\Facilities\+ Programs\Asbestos\Sites\Cuyahoga County Land Bank\8214 Dorver Ave\2013-01-09 ROV+NEAR.docx

February 20, 2013

From: JF Construction & Environmental

To: Department of Public Health

Attention: David Wagner,

Revised: Method of Removal of Transite

Correct step to be taken regarding removal of transite material:

1. We will be working off a JLG type lift, when possible weather permitting.
2. We will working off of ladders and scaffolds.
3. Transite will be wet prior to removal weather permitting (above 32 degrees).
4. Transite will be wet and put in rice bags prior to lowering transite with a rope tied to the bag prior to lowering to the ground.
5. The regulated area will remain visible at a times
6. We will maintain a record of temperature during removal.
7. We will be using spray pumps of water for wetting.
8. We will be using rice bags, 6 mill poly, and plastic containers for the removal of transite.

Sincerely,

Edward Jones

JF Construction & Environmental



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 3334
RETURN RECEIPT REQUESTED**

February 12, 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**

**RECEIPT OF CORRECTIVE ACTION PLAN: NOTICE OF VIOLATION FOR NESHAP-
ASBESTOS DEFICIENCIES**

Dear Mr. Jones:

On January 25, 2013, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that JF Construction and Environmental submit a corrective action plan for future transite shake shingle removal projects and address the following deficiencies:

- The regulated area wasn't demarcated.
- The regulated asbestos-containing material (RACM) was not carefully lowered to the ground after stripping from the facility.
- The RACM was not adequately wetted while it was being stripped.
- The RACM was not adequately wet after it had been collected for disposal.

CDAQ is in receipt of a corrective action plan dated February 6, 2013. According to the corrective action plan, JF Construction and Environmental will perform the following steps when removing transite shingles:

- You will use a JLG-type lift as a work platform.
- The regulated area will remain visible at all times.
- You will use rice bags and a 6-mil lined plastic container to lower the stripped material.
- You will use wet methods.
- They will wet any material that falls to the ground and then put it in rice bags.

Please Note: CDAQ is requiring JF Construction and Environmental to provide the details about the method(s) that will be used to carefully lower ACM transite to the ground.



You are expected to submit a detailed response by March 4, 2013. 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:

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

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. All correspondence with CDAQ must include the Ohio EPA facility 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.
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
L:\Data\Facilities\+ Programs\Asbestos\Sites\Cuyahoga County Land Bank\8214 Dorver Ave\2013-01-09 RCAP.docx

February 6, 2013

From: JF Construction & Environmental

To: Department of Public Health

Attention: David Wagner,

In response to your letter regarding transite removal method

Correct step to be taken regarding removal of transite material:

1. Will be working off a JLG type lift, when possible weather permitting.
2. The regulated area will remain visible at all times.
3. Will be using rice bags and a 6 mill line plastic container to lower the stripped material.

Wetting methods are being used.

4. Also any material that falls to the ground will be immediately wet and put in burlap or rice bags.

Sincerely,

Edward Jones

JF Construction & Environmental