



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 7012 2210 0000 5209 3329
RETURN RECEIPT REQUESTED

March 27, 2013

Thomas Gillespie
Chief Executive Officer
Gillespie Environmental Technologies Company
1836 W. 25th St.
Cleveland, OH 44113-3142

RE: 3830 Kelley Avenue
PROJECT ID: CL 13 1326

RESOLUTION OF VIOLATIONS

NOTICE OF VIOLATION / NOTICE OF VIOLATION FOLLOW-UP LETTER: Failure to submit a notification 10 days prior to its commencement

Dear Mr. Gillespie:

On March 12, 2013, the Cleveland Division of Air Quality (CDAQ) received an Ohio EPA Notification of Demolition and Renovation (notification) from Gillespie Environmental Technologies Company (GETCO) regarding a renovation project located at 3830 Kelley Avenue 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 (ORC) Section 3704.05(G).

The renovation project located at 3830 Kelley Avenue involved removing 500 linear feet of thermal system insulation. According to the project's notification, the insulation was a regulated asbestos-containing material. GETCO began the renovation on March 4, 2013; however, CDAQ did not receive a notification until March 12, 2013. The notification should have been submitted no later than February 18, 2013.

CDAQ discovered the project while comparing lists of active projects with the Ohio Department of Health. The failure to submit a notification about a renovation at least 10 working days before it begins is a violation of 40 CFR Part 61.145(b)(3)(i) and OAC Rule 3745-20-03(A)(3)(a).



CDAQ recognizes that GETCO took prompt action and submitted a notification once they were informed about the deficiency. The corrective action was received 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. 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 216/857-1553. All correspondence with CDAQ must include the Ohio EPA project identification number for the renovation project at 3830 Kelley Avenue: CL 13 1326.

Sincerely,

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

Valencia White
Chief of Enforcement, CDAQ

VW/dlw

cc: 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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