



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 7012 2210 0000 5209 3336  
RETURN RECEIPT REQUESTED

March 27, 2013

Edward Rumph  
Chief Executive Officer  
Lee Environmental Cleaning, Inc.  
11212 Avon Ave.  
Cleveland, OH 44105-4359

James Maher  
Field Service Supervisor  
Cuyahoga County Land Reutilization Corp.  
323 W. Lakeside Ave., Ste. 160  
Cleveland, OH 44113-1058

**RE: 13708 Darley Avenue**  
**PROJECT ID: CL 13 1316**  
**NOTICE OF VIOLATION: Failure to submit a revised notification**

Dear Mr. Rumph:

On March 15, 2013, the Cleveland Division of Air Quality (CDAQ) inspected the demolition project located at 13708 Darley 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).

Lee Environmental Cleaning, Inc. (Lee Environmental) submitted the Ohio EPA Notification of Demolition and Renovation on March 1, 2013. The demolition project involved removing 2,200 feet<sup>2</sup> of Category II asbestos-containing material and 10 feet<sup>2</sup> of a regulated asbestos-containing material. According to the project's notification, the asbestos abatement was scheduled to start on March 15, 2013 and end on March 18, 2013. CDAQ evaluated the site for compliance twice, on March 15 and 18, 2013. Although the notification indicated that the site was active on those days, it was inactive. The failure to submit a revised notification in writing regarding a demolition project's new start date is a violation of 40 CFR Part 61.145(b)(3)(iv)(A), OAC Rule 3745-20-03(A)(3)(d)(i) and ORC Section 3704.05(G).



Unless you undertake some type of corrective action with respect to the above noted violation, you will remain in non-compliance. Since the March 1, 2013 notification expired without the submittal of a revision, CDAQ requests that Lee Environmental submit another original notification for the demolition at 13708 Darley Avenue. The notification's asbestos abatement start and completion dates must be accurate. Asbestos abatement may not take place until CDAQ is notified. Please submit the notification to the following address:

Asbestos Program  
Cleveland Division of Air Quality  
75 Erieview Plz., Fl. 2  
Cleveland, OH 44114-1839

Your notification must be received by CDAQ with 14 days of your receipt of this letter. If there is insufficient time to correct the alleged violation with this timeframe, you must submit a written response which includes a timeline for correcting the alleged violation.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in ORC Section 3704.99(A), which allows fines of not more than \$25,000 or imprisonment for not more than one year, or both, for each violation.

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 demolition project located at 13708 Darley Avenue: CL 13 1316.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/dlw

cc: Cheryl Stephens, 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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