



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 7011 3500 0000 1759 9604
7011 3500 0000 1759 9598
RETURN RECEIPT REQUESTED**

February 15, 2013

Gus Frangos
Cuyahoga County Land Reutilization Corp.
323 West Lakeside, Suite 160
Cleveland, Ohio 44113

Edward Jones
JF Construction & Environmental
4017 East 146th Street
Cleveland, Ohio 44128

**RE: 16266 Oakhill Road
NOTICE OF VIOLATION: NESHAP Violation**

Dear Mr. Frangos & Mr. Jones:

On February 6, 2013, the Cleveland Division of Air Quality (CDAQ) inspected the Cuyahoga County Land Reutilization Corporation's (CCLRC) asbestos removal/demolition project located at 16266 Oakhill Road in Cleveland Heights. During a phone conversation with Jim Maher, CCLRC, on February 6, 2013, Mr. Maher stated that on January 7, 2013, JF Construction & Environmental (JF Construction) performed the asbestos abatement at 16266 Oakhill Road. The notification for 16266 Oakhill Road was received by CDAQ on February 5, 2013, and rejected on February 7, 2013. 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).

The abatement project at 16266 Oakhill Road violated 40 CFR Part 61.145(b)(3)(i), and OAC Rule 3745-20-03(A)(3)(a) for failing to provide CDAQ with an Ohio EPA Notification of Demolition and Renovation at least ten (10) working days before asbestos removal activity.



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that CCLRC and JF Construction resubmit the notification that was rejected on February 7, 2013, including the correct date(s) that the asbestos was removed and correct demolition dates, and submit a corrective action plan outlining what steps will be taken in the future to avoid the above referenced violation. Please mail future correspondence to the following enforcement representative:

Bryan Sokolowski
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 Bryan Sokolowski at (216) 420-7663.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/BS

cc: Cheryl Stevens, CCLRC
Jim Maher, CCLRC
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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