

CONSTRUCTION & ENVIRONMENTAL

FEB 26 2013

February 22, 2013

Bryon Sokolowski
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44112-1839

Dear Mr. Sokolowski:

We are responding to your letter regarding the delay in your receiving notification for the property at 16266 Oakhill Road.

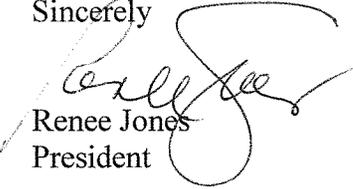
As a contractor working for the Cuyahoga County Land Reutilization Corp. notification are sent off by Jim Maher of the Land Bank.

We had no idea that the notification was not sent out in a timely manner until you notified us.

In the future we will check to make sure all notifications are sent out in a timely manner 10 working days Prior to work beginning.

We would like to apologize for this error on our part and the Land Bank. We will be working close with Mr. Maher of the County Land Bank to insure that this does not happen again.

Sincerely


Renee Jones
President

Renee Jones President
4017 E 146th
Cleveland, Ohio 44128

(216)773-1290



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 3500 0000 1759 9628
7011 3500 0000 1759 9635
RETURN RECEIPT REQUESTED**

March 22, 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
RECEIPT OF CORRECTIVE ACTION PLAN: 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. An Ohio EPA Notification of Demolition and Renovation (Ohio EPA Notification) for 16266 Oakhill Road was received by CDAQ on February 5, 2013, and rejected on February 7, 2013, for failing to submit accurate dates of asbestos removal and demolition.

On February 15, 2013, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation for failing to provide CDAQ with an Ohio EPA Notification at least ten (10) working days before asbestos removal activity, which is in violation of Title 40 Code of Federal Regulations, Subpart M, Part 61.145(b)(3)(i), and Ohio Administrative Code Rule 3745-20-03(A)(3)(a). CDAQ requested that CCLRC and JF Construction resubmit the Ohio EPA Notification that was rejected on February 7, 2013, to include the correct date(s) that the asbestos was removed and demolition occurred, and submit a corrective action plan outlining what steps will be taken in the future to avoid the above referenced violation.

On February 22, 2013, CDAQ received a response letter from JF Construction. The letter states that JF Construction was unaware that CCLRC did not submit an Ohio EPA Notification and that in the future JF Construction will check to make sure all Ohio EPA Notifications are sent out in a timely manner. A response from CCLRC was due on March 8, 2013; to date, CDAQ has not received a response from CCLRC.



CCLRC is expected to submit a corrective action plan outlining what steps will be taken in the future to avoid the above referenced violation. The corrective action plan shall be submitted within fourteen (14) days of your receipt of this letter. 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:

Bryan Sokolowski
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 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. Should you have any questions, please call Bryan Sokolowski at (216) 420-7663.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/BS

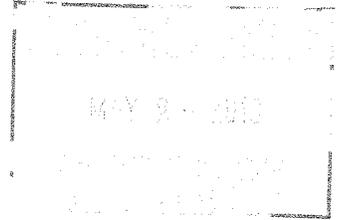
cc: Cheryl Stevens, CCLRC
Jim Maher, CCLRC
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
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Cuyahoga County Land Reutilization Corp.

323 W. Lakeside Avenue, Suite 160
Cleveland, Ohio 44113
Tel (216) 698-8853 Fax (216) 698-8972

April 26, 2013

Mr. Bryan Sokolowski
Cleveland Division of Air Quality
75 Erieview Plaza, 2nd Floor
Cleveland, OH 44114-1839



RE: 16266 OAKHILL ROAD, CLEVELAND HEIGHTS
CORRECTIVE ACTION PLAN

Dear Mr. Sokolowski:

In your letter dated February 15, 2013, you indicated that the CCLRC was in violation of the air statutes because the form commonly known as the 10 Day Notification to CDAQ was rejected and the contractor who was awarded the project proceeded to abate the house (16266 Oakhill) without a valid notification.

The Cuyahoga County Land Reutilization Corporation acknowledges our error in not tracking the 10 Day Notification forms correctly in this case. As you know the volume of our demolition work has increased each year since we opened our doors in 2009, and with those increases in volume we have had to change our internal processes to better assure that we know what should be done, by whom, and when. Your office is no doubt aware that we began to require abatement contractors to give us their original notifications so that we could track the large number of abatement and demolition contract jobs being done on our behalf. This system helped us avoid much miscoordination and has been largely successful., butAs as our volume has increased again we were have been experimenting with new contract award timing strategies to try trying new ways to move responsibly a this larger volume of abatement and demolition work through our organization that has resulted in us changing when we award both the abatement and demolition contracts. . With the most recent modifications we believe we

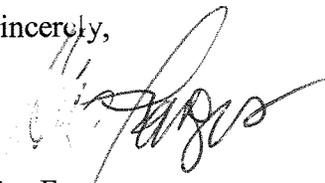
have a system that will obtain the notifications, provide all information necessary, and allow us to track when tasks can and should be done.

Below is a summary of our current bid/award/notify process that has been formalized and put in place (effective April 1, 2013) to minimize the number of errors on our part:

	WORK PHASE	TASKS
1	Demolition Bids	Tabulate Bids
2	Bid Award	Approval of Awards
3	Asbestos Evaluation	If No RACM, create 10 Day notice and proceed order
		If RACM, a. assign abatement contractor b. obtain 10-Day Notice from contractor c. add demo contractor's name and work dates
4	10 Day Notice	Submit to CDAQ
5	Abatement Proceeds	Generate Abatement Proceed with copy of 10 Day Notice attached
6	Demo Proceeds	Generate Demo Proceeds with copy of 10 Day Notice attached
7	Abatement	Removal of asbestos containing material is completed prior to demo
8	Demolition	Collapse, removal of structural debris, backfilling and finishing of site

Thank you for bringing this matter to our attention. We believe the process outlined above should help us stay stay in compliance with the NESHAP standards. If you have any questions please contact Cheryl Stephens of my staff at (216) 698-8658.

Sincerely,



Gus Frangos
President



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
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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 0861
RETURN RECEIPT REQUESTED**

May 6, 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

PROJECT ADDRESS: 16266 Oakhill Road

**RESOLUTION OF VIOLATIONS
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Frangos & Mrs. 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. An Ohio EPA Notification of Demolition and Renovation (Ohio EPA Notification) for 16266 Oakhill Road was received by CDAQ on February 5, 2013, and rejected on February 7, 2013, for failing to submit accurate dates of asbestos removal and demolition.

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On February 22, 2013, CDAQ received a response letter from JF Construction. The letter states that JF Construction was unaware that CCLRC did not submit an Ohio EPA Notification and that in the future JF Construction will check to make sure all Ohio EPA Notifications are sent out in a timely manner. A response from CCLRC was due on March 8, 2013; to date, CDAQ had not received a response from CCLRC.



On May 2, 2013, CDAQ received a response letter from CCLRC. The letter states that CCLRC acknowledges an error has occurred in not properly tracking the EPA Notification for 16266 Oakhill Road. The letter also states that since this error has occurred CCLRC has implemented a new process in which a notice to proceed is not issued until an EPA Notification is received by CDAQ.

Appropriate steps were taken to bring the source into compliance. CDAQ has 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. Should you have any questions, please call Bryan Sokolowski at (216) 420-7663.

Sincerely,

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

Valencia White
Chief of Enforcement, CDAQ

VW/BS

cc: Cheryl Stevens, CCLRC
Jim Maher, CCLRC
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
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