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 9697
RETURN RECEIPT REQUESTED

June 4, 2013

Carrie Scaravelli
Rainbow International
PO Box 30207
Middleburg Heights, Ohio 44130

RE: 11421 Bellflower Ave
PROJECT ID: CL 13 1913
NOTICE OF VIOLATION: NESHAP AND STATE OF OHIO EPA VIOLATIONS FOR ASBESTOS REMOVAL

Dear Ms. Scaravelli:

On May 21 and 22, 2013, the Cleveland Division of Air Quality (CDAQ) inspected Alpha Chi Omega House located at 11421 Bellflower Ave. 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 Chapter 3704.05(G).

Rainbow International violated CFR 61.145(b)(4)(ii) and OAC Rule 3745-20-03(A)(4)(c) by failing to provide the name, address, telephone number, and Ohio asbestos abatement contractor license number for the asbestos renovation project. [Observed on May 22, 2013]

During the May 22, 2013, site visit Rainbow International was unable to provide proof of an Asbestos Hazard Abatement Contractor license. Ohio Department of Health does not recognize Rainbow International as a licensed abatement contractor for the State of Ohio.

On May 24, 2013, CDAQ received by fax a revised Ohio Environmental Protection Agency Notification of Demolition and Renovation from Pete D'Agustino, P. S. Construction as the asbestos removal contractor for the Alpha Chi Omega House.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Rainbow International submit a corrective action plan explaining how you will comply with the asbestos regulations to the following enforcement representative:

Mike Samec
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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA project identification number for 11421 Bellflower Ave: CL 13 - 1913.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ms

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Josh Koch, ODH
L:\Data\Facilities\+ Programs\Asbestos\Sites\11421 Bellflower\2013-05-21 NOV contractor.docx

DO NOT WRITE IN THIS SPACE

Postmark	Date Received	Notification No.	By

Ohio Department of Health

Prior Notification of Asbestos Hazard Abatement Project

Read carefully all the instructions and questions prior to completing the notification form.

1. Notifications including check shall be typed and sent to the Ohio Department of Health, Attn: Revenue Processing, P.O. Box 15278, Columbus, Ohio 43215.
2. Checks shall be made payable to: Treasurer, State of Ohio, for the amount of sixty-five dollars ($65.00).
3. Any licensed asbestos hazard abatement contractor who performs any asbestos hazard abatement projects within the State of Ohio shall submit prior notifications to the Director at least ten business days before beginning each planned asbestos hazard abatement project as required by Chapter 3701-34 of the Ohio Administrative Code.
4. Type of notification ☐ original ☐ revision number_____ revised line(s) number _____ _____ _____ _____
   ☑ emergency ☐ blanket ☐ cancellation
5. Type of abatement involving at least 50 linear feet or 50 square feet
   ☐ removal ☐ repair ☐ encapsulation ☐ enclosure ☐ renovation

6. Owner name: Case Western Reserve University			
Address: 10620 Cedar Ave	City: Cleveland	State: OH	ZIP: 44106
Contact: Thomas Bondra	Contact telephone number: (216) 368-2583		
7. License number: AC1992	Abatement Contractor: PS Construction Group		Expiration: 3/15/2014
Address: PO Box 14533	City: Copley	State: Oh	ZIP: 44321
Contact: Pete D'Agostino	Telephone number: (330) 259-2004		
8. Certification number: AS31585	Name of asbestos hazard abatement specialist for project: Israel Alvarez		Expiration: 5/17/14
9. Project information—Building name: Alpha Chi Omega House			
Address: 11421 Bellflower	City: Cleveland	State: Oh	County: Cuyahoga
Site location (*specific*): Northwest of Euclid, southwest off E. 115/Juniper			

10. Project description

Type of asbestos material	☑ surfacing	☐ mechanical	☐ other
Asbestos removal from	☐ pipe	☐ boiler	☐ other
Engineering controls	☐ AFD	☐ glove bag	☐ other

11. Estimate of asbestos containing material: linear feet	square feet: 1,580

12. Abatement dates

set up: 5/24/2013	abatement: 5/24/2013	completion (acm work only): 5//29/2013

Hours of operation: 7:30 AM - 7:30 PM

Days of the week	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		x	x		x		

13. Approved landfill—Name: Minerva Enterprise		EPA permit number:
City: Waynesburg	State: Oh	Telephone number: 330-866-3488
14. Name of person filing this notice: Pete D'Agostino		Date: 5/23/2013

HEA 5121 (Rev. 8/03)

OHIO ENVIRONMENTAL PROTECTION AGENCY
NOTIFICATION OF DEMOLITION AND RENOVATION

Operator Project #	Postmark	Date Received	Notification #

I. Type of Notification (check one): ☐ Original ☑ Revised ☐ Canceled

II. Facility Description (include building name, number, and floor or room number)

Building Name: Alpha Chi Omega House
Address: 11421 Bellflower
City: Cleveland State: **OHIO** Zip Code: 44106 County: Cuyahoga
Site Location (specific): Kitchen - 1st Floor
Building Size (square feet): 7,000 # of Floors: 3 Age in Years: 98
Present Use: Fraternity house Prior Use: Same

III. Type of Operation (check one): ☐ Demo ☐ Ordered Demo ☒ Renovation ☐ Emergency Renovation ☐ Fire Training

IV. Is Asbestos Present? (check one): ☑ Yes ☐ No

V. Facility Information

Owner Name: Case Western Reserve Univ
Address: 10620 Cedar
City: Cleveland State: OH Zip Code: 44106
Contact: Butch Kless Telephone: (216) 401-4781 Fax: ( )
Removal Contractor Name: PS Construction License # AC1992
Address: P.O. Box 14533
City: Cosby State: OH Zip Code: 44321
Contact: Pete D'Agostino Telephone: (330) 259-2004 Fax: (614)
Other Operator (demolition/general): License #
Address:
City: State: Zip Code:
Contact: Telephone: ( ) Fax: ( )

VI. Procedure, including analytical methods, employed to detect the presence of and to estimate the quantity of RACM and Category I and Category II nonfriable ACM:

Ohio Asbestos Hazard Evaluation Specialist: David L. Brenner (Name) ES 35189 (Certification #)

VII. Approximate Amount of Asbestos Materials:

	RACM to be Removed	Nonfriable Asbestos Material to be Removed		Nonfriable Asbestos Material NOT to be Removed	
		Category I	Category II	Category I	Category II
Pipes (linear feet)					
Surface Area (square feet)	1,580 Plaster				
Facility Components (cubic feet)					

VIII. Scheduled Dates Demolition or Renovation: Start: Complete: 5/29/2013

IX. Dates for Asbestos Removal (MM/DD/YY) Start: 5/24/2013 Complete:

Days of the Week:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of Operation:		7:30 7:30	7:30 7:30		7:30 7:30		

Complete all unshaded spaces, except demolitions which involve less than 260 linear feet, 160 square feet, or 35 cubic feet of RACM, need not complete spaces XI, XII ,XIII, XIV, and XV. Notifications for Emergency Demolition or Emergency Renovation must supply attachments.

OHIO ENVIRONMENTAL PROTECTION AGENCY
NOTIFICATION OF DEMOLITION AND RENOVATION

X. Description of planned Demolition or Renovation work to be performed and method(s) to be employed, including demolition or renovation techniques to be used and description of affected facility components:

Manual Removal, Wet

XI. Description of work practices and engineering controls to be used to comply with the requirements, including asbestos removal and waste handling emission control procedures:

Wet Methods, Neg Air, Shower

XII. Waste Transporter #1

Name: Cotterman & Son
Address: 11308 Clay St
City: Montville State: OH Zip Code: 44064
Contact: Travis Cotterman Telephone: (440) 968-0200 Fax: ( )

Waste Transporter #2

Name:
Address:
City: State: Zip Code:
Contact: Telephone: ( ) Fax: ( )

XIII. Waste Disposal

Name: Minerva Enterprise
Address: 8955 Minerva Rd S.E
City: Waynesburg State: OH Zip Code: 44688
Contact: Telephone: ( ) Fax: ( )

XIV. Emergency Demolition (complete Item XIV and all other sections, only if this project is an Emergency Demo.)

1. Attach a copy of the Order to this notice.
2. Name of Authority Issuing Order: Title:
3. Authority of Order (Citation of Code):
4. Date of Order (MM/DD/YY): Date Ordered to Begin:

XV. Emergency Renovation (Attach separate sheet with the following information if project is Emergency Reno.)

1. Date and Hour of the Emergency
2. Description of the Sudden, Unexpected Event
3. Explanation of how the event caused unsafe conditions or equipment damage or an unreasonable financial burden.

XVI. Description of procedures to be followed in the event that unexpected RACM is found or nonfriable ACM becomes crumbled, pulverized or reduced to powder.

Stop work contact consultant, EPA, contain

XVII. I certify that an individual trained in the provisions of NESHAPS (40 CFR PART 61, SUBPART M) will be on-site during the Demolition or Renovation and evidence that the required training has been accomplished by this person will be available during normal business hours.

[signature] 5-23-12 Pete D'Agustino Owner

Signature of Owner/Operator Date Type or Print Name and Title

XVIII. I acknowledge the existence of laws prohibiting the submission of false or misleading statements and I certify that facts contained in this notification are true, accurate, and complete.

[signature] 5-23-12 Pete D'Agustino Owner

Signature of Owner/Operator Date Type or Print Name and Title

Original Notification must be mailed or hand delivered at least ten working days (Monday-Friday excluding weekends) before demolition or renovation begins, except emergency demolitions and emergency renovations (see regulation) which must be submitted as soon as possible before operations begin, but no later than the following work day. (Form Revised 1/5/09)

To Whom It May Concern:

PS construction has taking over the abatement with Rainbow International of Cleveland at the Alpha Cia. We will be using their name on the company license. This has turned into an emergency abatement as the abatement had begun and Asbestos was disturbed. Josh with ODH has giving us the permission to continue with an emergency abatement once the proper paper work is turned in. Most involved with the project is worried over the potential of students entering the area that is being abated and the potential for the containment being disturbed.

Please feel free to contact me with any questions you may have, I will be more than happy to assist. 216-410-5008.

Thank you, Carrie Scaravelli

PS Construction and Rainbow International of Cleveland.