



**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 3619  
RETURN RECEIPT REQUESTED**

June 27, 2013

Edward Rumph  
President  
Lee Environmental Cleaning, Inc.  
11212 Avon Ave.  
Cleveland, OH 44105-4539

Cheryl Stephens  
Director of Acquisition, Disposition and Development  
Cuyahoga County Land Reutilization Corp.  
323 W. Lakeside Ave., Ste. 160  
Cleveland, OH 44113-1058

**RE: Demolition project at 3146 E. 102<sup>nd</sup> Street  
PROJECT ID: CL 13 1804  
NOTICE OF VIOLATION: Failure to submit a revised notification**

Dear Mr. Rumph:

On May 24, 2013, the Cleveland Division of Air Quality (CDAQ) inspected the demolition project located at 3146 E. 102<sup>nd</sup> Street in Cleveland. This letter serves as notification that you are in violation of the following applicable air statutes or air regulations.

Asbestos removal projects are subject to compliance with the Asbestos National Emissions Standard for Hazardous Air Pollutants (NESHAP), Title 40 of the Code of Federal Regulations (CFR), Part 61, Subpart M, The Ohio Administrative Code (OAC) Rule 3745, 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 April 19, 2013. The demolition project involved removing 2,300 feet<sup>2</sup> of transite shake shingles classified as a Category II asbestos-containing material (ACM), 25 feet<sup>2</sup> of duct tape categorized as a regulated asbestos-containing material and 13 feet<sup>2</sup> of window glazing classified as a Category II ACM. CDAQ evaluated the site for compliance on May 24, 2013. Although the notification indicated that the site would be active on that date, 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 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 violations, you will remain in non-compliance. CDAQ requests that Lee Environmental submit a corrective action plan outlining the steps that will be taken to provide adequate notice of a project's new start date. Please submit the corrective action plan to the following enforcement representative:

David Wagner  
Cleveland Division of Air Quality  
75 Erieview Plz., Fl. 2  
Cleveland, OH 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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA project identification number for the demolition project located at 3146 E. 102<sup>nd</sup> Street.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/dlw  
*(initials)*

cc: James Maher, Cuyahoga County Land Reutilization Corp.  
George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
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