



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 8508
RETURN RECEIPT REQUESTED**

June 14, 2013

Cheryl Stephens
Cuyahoga County Land Reutilization Corp.
323 W. Lakeside, Suite 160
Cleveland, Ohio 44113

**RE: 13408 Coit Road, 1336 East 123rd Street, 2289 East 101st Street, 4711 Lester Street,
4146 East 136rd Street, 4151 East 143rd Street, 3601 East 46th Street, 3253 East 48th
Street, 15201 Naples Ave.**

**NOTICE OF VIOLATION: FAILURE TO PROVIDE NOTIFICATION AT LEAST TEN (10)
WORKING DAYS BEFORE ASBESTOS REMOVAL ACTIVITY OR DEMOLITION
BEGINS**

Dear Ms. Stephens:

On May 31 and June 3, 2013, the Cleveland Division of Air Quality (CDAQ) received revised Ohio EPA Notifications of Demolition and Renovation (Notifications) from Cuyahoga County Land Reutilization Corp. (CCLRC) for the following sites:

- 13408 Coit Road
- 1336 East 123rd Street
- 2289 East 101st Street
- 4711 Lester Street
- 4146 East 136rd Street
- 4151 East 143rd Street
- 3601 East 46th Street
- 3253 East 48th Street
- 15201 Naples Ave.

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 following sites listed above violated CFR 61.145(b)(1) and OAC Rule 3745-20-03(A)(1) for failing to provide CDAQ written notice of intention to demolish or renovate. [Observed on May 31 and June 3, 2013]

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 submit original Notifications for the sites listed above, notify all parties involved that all work must stop until CDAQ has reviewed all original Notifications, and provide new procedures which CCLRC will implement for submitting original Notifications to CDAQ, 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 13408 Coit Road, 1336 East 123rd Street, 2289 East 101st Street, 4711 Lester Street, 4146 East 136rd Street, 4151 East 143rd Street, 3601 East 46th Street, 3253 East 48th Street, 15201 Naples Ave.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ms

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
L:\Data\Facilities\+ Programs\Asbestos\Sites\Cuyahoga County Land Bank\multiple addresses\2013-05-31 NOV.docx



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Return of Incomplete or Incorrect Notification of Demolition and Renovation

James Maher
Cuyahoga County Land Reutilization Corp.
323 W. Lakeside Ave. Suite 160
Cleveland, Ohio 44113

Date: April 24, 2013

Subject: Notifications postmarked on April 16, and 17, 2013, and received on April 22, 2013, for asbestos removal and disposal from, and/or demolition located in Cleveland, Ohio for following sites:

3621 East 113th Street
3601 East 46th Street*
1336 East 123rd Street
10202 Parkview Ave
4711 Lester St.
2289 East 101st Street
4146 East 136th Street
3253 East 48th Street
3408 Horace Court
15201 Naples Ave
5801 Huss Ave
4151 East 143rd St.
13408 Coit Road

Status: Not Accepted; work may not begin

The Cleveland Division of Air Quality (CDAQ) has reviewed the above notifications as required by state and federal laws. CDAQ has found that the notifications do not comply with the requirements of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Asbestos and/or the Ohio Administrative Code (OAC). Accordingly, the notification has not been accepted by CDAQ. They are being returned to you via this letter.

The dates for asbestos removal under Section IX do not meet the required 10 working days written notice requirement.

Commencement of regulated activities without submittal of an acceptable notification will constitute a violation of federal and state laws, specifically:

Code of Federal Regulations 40 CFR Part 61 §61.145 "Standard for demolition and renovation."

OAC 3745-20-03 "Standard for notification prior to demolition or renovation."