



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

**DSERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7011 3500 0000 1759 9659
RETURN RECEIPT REQUESTED**

July 9, 2013

Dave Del Regno
Project Manager
Precision Environmental
5500 Old Brecksville Road
Independence, Ohio 44131

**PROJECT ID: CL 13-1470
NOTICE OF VIOLATION: NESHAP Violation**

Dear Mr. Del Regno:

On July 2, 2013, the Cleveland Division of Air Quality (CDAQ) inspected an asbestos removal/renovation project located at 1 Lyman Circle in Shaker Heights. 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 Standards 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 (ORC) Chapter 3704.05(G).

On March 27, 2013, Precision Environmental (Precision) submitted an Ohio EPA Notification of Demolition and Renovation (Notification) to CDAQ. On May 9, 2013, Precision put the notification on hold, and then on June 11, 2013, the notification was taken off hold. From June 12, 2013, to June 14, 2013, Precision performed abatement of pipe insulation and floor tile and mastic. On June 14, 2013, the project was put back on hold.

On July 2, 2013, CDAQ observed Precision performing asbestos abatement at the property. The notification indicated that the project was on hold however abatement took place on July 1, 2013, and July 2, 2013. Therefore, the asbestos removal project is in violation of 40 CFR Part 61.145(b)(3)(iv)(C), OAC Rule 3745-20-03(A)(3)(d)(iii), and ORC Chapter 3704.05(G) for performing abatement activity other than the date contained on the notification. To date, CDAQ has not received an amended (revised) Notification from Precision.



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Precision submit a revised notification identifying the dates that asbestos abatement took place, and submit a corrective action plan outlining what steps will be taken in the future to avoid the violations that is above noted within fourteen (14) days of you receipt of this letter 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.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars (\$25,000) or imprisonment for not more than one year, or both, for each violation.

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. All correspondence with CDAQ must include the Ohio EPA project identification number: CL 13-1470.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/BS

cc: Mary Ann Pellerano, Laurel School
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
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