

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

WARNING OF VIOLATION

November 28, 2022

VIA CERTIFIED MAIL – 9489 0090 0027 6045 1974 66

Todd Cioppa, Vasyl Khymiak
Triton Holdings LLC.
97 Harriet Street
Rankin, PA 15104

Re: PAA22-0459: 300 Sixth Ave. Pittsburgh, PA 15222

Dear Mr. Cioppa and Mr. Khymiak,

This Warning Letter serves as notice that you and your company, Triton Holdings, LLC., have violated Article XXI (“Air Pollution Control”) of the Allegheny County Health Department’s (“ACHD”) Rules and Regulations and the federal asbestos abatement regulations adopted at Title 40, Code of Federal Regulations, Part 61, Subpart M, 40 C.F.R. § 61.140 et seq.

On November 04, 2022, a final clearance inspection for permit PAA22-0459 was performed at 300 Sixth Ave. by the ACHD to reopen the work area to the public. During this inspection, it was determined that Mr. Todd Cioppa and Mr. Vasyl Khymiak were not certified by the PA Department of Labor and Industry. The licenses for Mr. Cioppa and Mr. Khymiak each expired on October 28, 2022.

The abatement of the commercial structure located at 300 Sixth Ave. is subject to the asbestos abatement requirements of Article XXI, § 2105.62, 40 C.F.R. § 61.145(a). Federal and ACHD asbestos regulations require that no person shall conduct or supervise the removal, encasement, or encapsulation requirements set forth in §2104 and §2105 of the Pennsylvania Asbestos Occupations Accreditation and Certification Act, 63 P.S. §2104 – §2105, and the state regulations promulgated thereunder by the Pa. Dept. of Labor and Industry (DOLI). Article XXI, § 2105.61.a. A copy of Article XXI may be found on the ACHD’s website at www.achd.net/air.



DEBRA BOGEN, MD, DIRECTOR
ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM
301 39TH STREET • CLACK HEALTH CENTER • BUILDING 7
PITTSBURGH, PA 15201-1811
PHONE (412) 578-8103 • Fax (412) 578-8144
24+HR (412) 687-ACHD (2243)
WWW.ALLEGHENYCOUNTY.US/HEALTHDEPARTMENT



This letter constitutes a formal warning that you and your company violated Article XXI, § 2105.61.a. and 40 C.F.R. § 61.145(a) due to your failure to maintain your PADOLI asbestos building inspector/supervisor license. Neither Mr. Cioppa, nor Mr. Khymiak should enter any regulated areas until such time as their PADOLI licenses have been renewed.

In the future, if you or your company fail to comply with ACHD or federal regulations, you may be subject to civil penalties of up to **\$25,000 per violation per day** and summary criminal penalties upon conviction of up to **\$2,500 per violation per day**. In the event that you or your company commits future violations of the ACHD Rules and Regulations, the ACHD will consider past violations in any future penalty determinations, pursuant to Article XXI, § 2109.06.b.

If you have any questions, please call Nick Delphia at 412-209-2668. Thank you for your anticipated prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Allason Holt". The signature is written in a cursive, flowing style.

Allason Holt
Program Manager - Compliance and Enforcement Program
Air Quality Program

cc: Nick Delphia, AQ Technician, Air Quality Program
File