



# NOTICE OF VIOLATION

## Allegheny County Health Department

### Air Quality Program

301 39th Street, Bldg. # 7, Pittsburgh, PA 15201

Phone: (412) 578-8103

Address of Alleged Violator <b>615 Priscilla Ave, 53 North 2<sup>nd</sup> Street, and 209 Hamilton Avenue, Duquesne, PA 15110</b>			
Name of Alleged Violator - Number 1. <b>Canfield Development INC</b>			
Address of Alleged Violator <b>2536 Library Road, Pittsburgh PA 15234</b>			
Contact Person <b>Jeffrey Sasek</b>	Title <b>President</b>	Phone Number <b>412 885 7428</b>	Email <b>Canfielddev@gmail.com</b>

Name of Alleged Violator - Number 2 <b>City of Duquesne</b>			
Address of Alleged Violator <b>12 South Second Street</b>			
Contact Person <b>Mary Louise Bittner</b>	Title <b>City Manager</b>	Phone Number <b>412-469-0544</b>	Email <b>City_Manager@duquesnepa.us</b>

#### PART 1: DESCRIPTION OF INSPECTION(S)

The Allegheny County Health Department (“ACHD”) issued three asbestos abatement permits to Canfield Development INC, a licensed asbestos abatement company in Allegheny County, for the municipally funded demolition of three residential structures in the City of Duquesne, in the County of Allegheny, PA. The three permits addressed asbestos abatement undertaken at: (1) 615 Priscilla Ave, Duquesne, PA 15110, permit number PAA21-4501 (issued 09/28/2021, expired 10/04/2021); (2) 53 North 2nd Street, Duquesne, PA 15110, permit number PAA21-4502 (issued 09/27/2021, expired 11/30/2021); and (3) 209 Hamilton Avenue, Duquesne, PA 15110, permit number PAA21-4503 (issued 09/27/2021, expired 11/30/2021).

Each of the three Asbestos Abatement Notification and Permit Applications, list the Facility Owner as Steel Rivers Council of Government – City of Duquesne at 1705 Maple Street, Suite 10, Homestead, PA. The Permit Application pages were signed by David Gililand, City Engineer for the City of Duquesne in his capacity as the designated representative of Facility Owner. All three structures were previously determined to be unsafe to enter and hence, a pre-demolition asbestos survey was not practicable. Accordingly, the three demolition permits mandated that the entire structure to be treated as Asbestos Containing Material (ACM).

Section 2105.63.k of Article XXI of Allegheny County’s Rules and Regulations relating to Air Quality, requires that all permitted asbestos abatement projects receive a final clearance inspection prior to re-opening the work area to the public. The three permits listed above expired without either the licensed asbestos abatement contractor, air monitoring or sampling firms for the project requesting such mandatory final clearance inspections, a violation of Article XXI, Section 21-5.63.k.2.. On December 9<sup>th</sup>, 2021, after all three permits had expired, an ACHD inspector conducted inspections of the three properties. At each site, the ACHD inspector found that the areas where the abatement projects took place were open and accessible to the public, a violation of Article XXI, Section 63.k.1.

Did the individual/company cooperate with ACHD personnel? If not, explain:	Yes
Inspection Date(s) 12/09/2021	Inspector Name(s) Cali Feeney

**PART 2: YOU ARE IN VIOLATION OF THE FOLLOWING REGULATION(S):**

1	Regulation Section Article XXI §2105.63.k.1	Regulation Requirement <i>No person shall remove containment barriers, fail to continue to maintain negative air pressure at a project work area, or reopen the work area to the public, or allow any such removal, failure, or reopening, until such time as the Department has accepted the results of a final clearance inspection or reinspection for such work area.</i>
	Description of Violation Work area demarcation was removed without a final clearance inspection. Work area had been re-opened to the public prior to the final clearance inspection	
2	Regulation Section Article XXI §2105.63.k.2	Regulation Requirement <i>Final clearance inspections shall be requested by either the licensed asbestos abatement contractor or the air monitoring or sampling firm for the project and scheduled in advance with the Department in accordance with procedures set forth by the Department's Asbestos Abatement Section.</i>
	Description of Violation No final clearance inspection was requested by the contractor or the air monitoring or sampling firm.	

**This Notice of Violation is neither an order nor a final agency action of the Allegheny County Health Department. It neither imposes nor waives any remedies available to the Department pursuant to Article XXI nor any other statute or regulation under which it has authority to pursue further enforcement. Such remedies include but are not limited to injunctive relief and/or civil penalties of up to \$25,000 per violation per day.**

  
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Allason Holt  
Air Quality Program Manager

8/31/2023

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Date