



ENFORCEMENT ORDER

Allegheny County Health Department

Air Quality Program

836 Fulton Street Pittsburgh, PA 15233

Phone: (412) 578-8103

Addresses of Alleged Violation

1025 Ross Avenue, Pittsburgh, PA 15221
1128 Park Avenue, Pittsburgh, PA 15221
1131 Glenn Avenue, Pittsburgh, PA 15221
1417 Mill Street, Pittsburgh, PA 15221
1426 Mill Street, Pittsburgh, PA 15221
412 Ella Street, Pittsburgh, PA 15221
457 Ella Street, Pittsburgh, PA 15221
459 Ella Street, Pittsburgh, PA 15221
409-411 Montview Place, Pittsburgh, PA 15221
413-415 Montview Place, Pittsburgh, PA 15221

Name of Alleged Violator #1

TNT Excavating

Address of Alleged Violator #1

507 Highland Ave, Herminie PA, 15637

Contact Person #1

Tyler Luft

Title

Owner

Phone Number

724-516-9249

Email

tnexcavating50@gmail.com

Name of Alleged Violator #2

Borough of Wilkinsburg

Address of Alleged Violator #1

605 Ross Avenue, Wilkinsburg, PA 15221

PART 1: DESCRIPTION OF INSPECTION(S)

On November 3, 2024, TNT Excavating was awarded contracts by the Borough of Wilkinsburg ("Wilkinsburg") to perform the demolition of thirteen blighted, single-family residences. The structurally unsound, blighted single family residences were being demolished under the order of Wilkinsburg through the use of public funding as part of an urban renewal project. In Allegheny County, the publicly funded demolition of single-family residences requires the operator of the project and the contractor to submit an asbestos abatement permit application, associated fee, and notice of demolition for each structure. As the subject structures were structurally unsound, an asbestos survey was unable to be performed and therefore all building materials are to be treated as asbestos-containing material ("ACM"). As of the date of this order, TNT Excavating is not a licensed Allegheny County Asbestos Abatement Contractor.

On March 19, 2025, ACHD met with code enforcement officials of Wilkinsburg regarding their municipally funded demolition project. The Wilkinsburg representatives reported that TNT Excavating had completed the demolition of nine structures without submitting the required asbestos abatement permit applications, fees, or notices. The addresses of the structures confirmed to have been demolished without the necessary submissions are: 1128 Park Avenue, 1131 Glenn Avenue, 1417 Mill Street, 1426 Mill Street, 412 Ella Street, 457 Ella Street, 459 Ella Street, 409-411 Montview Place and 413-415 Montview Place. Other contractors had completed additional demolitions. Wilkinsburg representatives agreed to stop active demolition activity and inform their contractors of ACHD requirements and request the submission of the permit applications and notices of demolition.

On March 21, 2025, Wilkinsburg's Representative sent an email to ACHD confirming that they had communicated the asbestos notification and permit requirements to the contractors retained by Wilkinsburg. Wilkinsburg also provided emails from the contractors wherein they confirmed that they would begin working on the required permit paperwork.

On April 4, 2025, ACHD inspectors visited the Wilkinsburg sites to confirm the status of the projects. During this inspection, ACHD found that a structure situated at 1025 Ross Avenue, was completely demolished. 1025 Ross Ave, was on the list of structures TNT Excavating had contracted to demolish. Three remaining structures that were part of TNT Excavating's contract with Wilkinsburg were demolished under the supervision of a licensed asbestos abatement contractor. ACHD received the proper notifications of demolition, permit applications, and applicable fees associated therewith.

On May 14, 2025, ACHD sent an email directing TNT Excavating to submit the permit application, applicable fee, and notice of demolition. No response was received from TNT Excavating.

As of the date of this order, ACHD has not received permit applications or notices of demolition from TNT Excavating for the ten structures that they demolished.

Did the individual/company cooperate with ACHD personnel? If not, explain:	No. All outreach attempts have been ignored
Inspection Date(s) April 4, 2025	Inspector Name(s) Catie O'Malley, Robert Gorog, Nick Delphia

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

1	Regulation Section Article XXI § 2105.62.h	Regulation Requirement No person shall demolish, or allow the demolition, of any facility unless the owner has submitted, and the department has received, a properly completed asbestos permit application, with appropriate fee for any such permit.
	Description of Violation As of the date of this order, TNT Excavating had performed the municipally funded demolition of ten structures without applying for an asbestos abatement permit and paying the permit fee.	
	What You Must Do to Correct the Violation Submit an asbestos abatement permit application and appropriate fee for 1025 Ross Ave, Pittsburgh, PA 15221, 1128 Park Ave, Pittsburgh, PA 15221, 1131 Glenn Ave, Pittsburgh, PA 15221, 1417 Mill St, Pittsburgh, PA 15221, 1426 Mill St, Pittsburgh, PA 15221, 412 Ella St, Pittsburgh, PA 15221, 457 Ella St, Pittsburgh, PA 15221, 459 Ella St, Pittsburgh, PA 15221, 409-411 Montview Pl, Pittsburgh, PA 15221, 413-415 Montview Pl, Pittsburgh, PA 15221	
2	Regulation Section Article XXI § 2105.62.f.2	Regulation Requirement No person shall demolish, or allow the demolition, of any facility unless the owner of the facility proposed to be demolished has submitted written notice 10 day prior too the beginning of the proposed demolition.
	Description of Violation As of the date of this order, TNT Excavating had performed ten municipally funded demolitions without submitting a notification of demolition ten days prior to the start of demolition activities.	
	What You Must Do to Correct the Violation Submit the notification of demolition for 1025 Ross Ave, Pittsburgh, PA 15221, 1128 Park Ave, Pittsburgh, PA 15221, 1131 Glenn Ave, Pittsburgh, PA 15221, 1417 Mill St, Pittsburgh, PA 15221, 1426 Mill St, Pittsburgh, PA 15221, 412 Ella St, Pittsburgh, PA 15221, 457 Ella St, Pittsburgh, PA 15221, 459 Ella St, Pittsburgh, PA 15221, 409-411 Montview Pl, Pittsburgh, PA 15221, 413-415 Montview Pl, Pittsburgh, PA 15221	

PART 3: YOU ARE HEREBY ORDERED AS FOLLOWS:

- ☐ Immediately stop all work and/or cease operations at the following location(s):

- ☐ You are hereby Ordered to correct the violations(s) listed in Part 2 within _____ days of the service of this Enforcement Order.
- ☒ You are hereby Ordered to comply with the following requirements within ____10____ days of the service of this Enforcement Order:

Submit the permit application, notice of demolition and appropriate fee for:

1025 Ross Ave, Pittsburgh, PA 15221, 1128 Park Ave, Pittsburgh, PA 15221, 1131 Glenn Ave, Pittsburgh, PA 15221, 1417 Mill St, Pittsburgh, PA 15221, 1426 Mill St, Pittsburgh, PA 15221, 412 Ella St, Pittsburgh, PA 15221, 457 Ella St, Pittsburgh, PA 15221, 459 Ella St, Pittsburgh, PA 15221, 409-411 Montview Pl, Pittsburgh, PA 15221, 413-415 Montview Pl, Pittsburgh, PA 15221

The Order(s) in this Part is enforceable upon issuance and any appeal shall not act as a stay. The Order(s) shall remain in effect until you are notified in writing by the Department. Please contact the ACHD Air Quality Program at (412) 578-8103 to arrange for a reinspection or to request that the Order(s) be rescinded.

This Order shall not, in any manner, prohibit or preclude the Department from exercising its authority to enforce additional Article XXI regulations (including its authority to impose civil penalties) related to the conduct described herein. Moreover, the imposition or resolution of such measures shall not, in any manner, prohibit or preclude any other party or governmental agency or entity from pursuing legal action (civil or criminal) against it for violations that are the subject of this order.

Please be advised that failure to comply with this Order within the times specified herein is a violation of Article XXI giving rise to the remedies provided by Article XXI § 2109.02 including civil penalties of up to \$25,000 per violation per day.

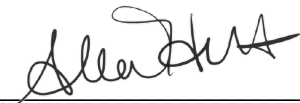
PART 4: REQUEST FOR ADMINISTRATIVE HEARING

Pursuant to Article XI, § 1104.A (“Hearings and Appeals”), and Article XXI § 2109.06.a.5, of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order, a Notice of Appeal shall be filed no later than thirty (30) days after receipt of written notice or issuance of this Order. Such a Notice of Appeal shall be filed in the Office of the Director at 542 Fourth Avenue, Pittsburgh, PA 15219.

This Order is enforceable upon issuance and any appeal of this Order shall not act as a stay unless the Director of the ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final.

Please be aware that if you wish to appeal this Order and a civil penalty has been assessed under Part 4, you are required within 30 days of receipt of this Order to either forward the penalty amount to the ACHD for placement in an escrow account or post an appeal bond to the ACHD in the amount of the penalty. Failure to forward the money or the appeal bond at the time of the appeal shall result in a waiver of all legal rights to contest the violation or the amount of the civil penalty unless you allege financial inability to prepay the penalty or to post the appeal bond. If you allege financial inability to prepay or post, then you have the burden to prove it. Please review the specific requirements for prepaying the penalty or posting the appeal bond found in Article XXI § 2109.06.a.2-3.

A copy of Article XXI and Article XI may be found at <https://www.alleghenycounty.us/Health-Department/Health-Department-Regulations.aspx>.



Air Quality Program Manager

7/23/2025

Date