

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

NOTICE OF VIOLATION

June 25, 2021

CERTIFIED MAIL - 9489 0090 0027 6047 4906 95

Oakdale Development LLC
Attn: Daniel Spanovich
2015 Mary St.
Pittsburgh, PA 15203

RE: Notice of Violation #ASB-21-0604 – Violations of Article XXI (“Air Pollution Control”) at property 3824 Penn Ave., Pittsburgh, PA 15201

Dear Mr. Spanovich,

On March 25, 2021 an ACHD Representative stopped at 3824 Penn Ave. to request an asbestos survey from an active renovation project. The interior of the building was empty and cement was recently poured for the flooring. After speaking with the supervisor on site as well as the owner of the property, it was determined that an asbestos survey was not completed prior to the renovation project at 3824 Penn Ave. A stop work order was issued on March 25th for work to cease until TEM air sampling could be completed on site as well as any further bulk sampling of leftover materials.

The TEM air sample results concluded that fibers were not present in the air at the time of sampling within the facility. Bulk sampling at the premises found positive leftover ACM floor tile. Upon further investigation, photographs of the facility accessed on Google Maps reveal floor tile throughout the facility.



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



Please allow this correspondence serve as notice to Oakdale Development LLC of the following violations of the Allegheny County Health Department Rules and Regulations, Article XXI (“Air Pollution Control”):

- a. **Article XXI § 2105.62.b:** Failure to perform an asbestos survey prior to demolition or renovation.
- b. **Article XXI § 2105.60:** The removal, encasing, or encapsulating of ACM without a valid Asbestos Abatement Contractor License issued by the Department.
- c. **Article XXI § 2105.63:** Failure to use standard work practices with the removal of ACM.
- d. **Article XXI § 2105.63.1:** Failure to properly dispose of ACM.

This Notice of Violation is neither an order nor any other final action of the Allegheny County Health Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the ACHD determines that an enforcement action is appropriate, you will be notified of the action. Please be aware that any violation of the Article XXI regulations subjects a person to a variety of enforcement actions, including a civil penalty of up to \$25,000 per violation per day.

Please contact the ACHD within **14 days** of receipt of this notice to schedule a meeting to discuss the violations. A meeting may be scheduled by contacting Shannon Sandberg at (412) 578-7969 or emailing at shannon.sandberg@alleghenycounty.us. If a meeting is not requested, the ACHD will proceed with further enforcement action.

If you believe any of the facts in this Notice of Violation are in error, you may submit information to Ms. Sandberg via email or at this address: 301 39th Street, Clack Health Center Building 7, Pittsburgh, PA 15201-1811. The ACHD will consider new information you submit and take appropriate action. Thank you for your anticipated prompt attention to this matter.

Sincerely,



Shannon Sandberg
Enforcement Section Chief
Air Quality Program

cc: File