

COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

**NOTICE OF VIOLATION**

May 25, 2022

**CERTIFIED MAIL - 9489 0090 0027 6045 1971 76**

General Contracting Corporation  
Attn: Brandon Cahall  
1433 Woods Run Avenue  
Pittsburgh, PA 15212

**RE: Notice of Violation #ASB-22-0502** – Violations of Article XXI (“Air Pollution Control”) at 165 and 167 Penn Ave. Pittsburgh, PA 15210.

Dear Mr. Cahall,

Allegheny County Health Department (ACHD) issued two demolition permits (PAA21-4325 and PAA21-4326) on May 28, 2021 to the Mount Oliver Borough. General Contracting Corporation was hired to provide asbestos abatement supervision of the demolition of residential structures located at 165 Penn Ave. and 167 Penn Ave. The permits required the entire structures to be treated as asbestos containing material (ACM). Both permits expired on June 10, 2021.

During a record review, ACHD determined that the permits expired June 10, 2021 and had not received requests for final clearance inspections for either permitted project. An ACHD Representative contacted General Contracting Corporation on September 27, 2021 to confirm the demolition projects for the above referenced structures were complete and requested personal air clearance paperwork for the demolitions. On September 29, 2021, General Contracting Corporation submitted the final air clearance results to ACHD. On October 15, 2021, an ACHD representative performed final clearance inspections for both permitted projects and deemed both projects to be acceptable.

Article XXI § 2105.63.k.1 requires that a final clearance inspection be performed prior to allowing the project area to be opened to the public. At the time of the final clearance inspections, the project areas did not restrict public access.



DEBRA BOGEN, MD, DIRECTOR  
**ALLEGHENY COUNTY HEALTH DEPARTMENT**  
**AIR QUALITY PROGRAM**  
301 39<sup>TH</sup> 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](http://WWW.ALLEGHENYCOUNTY.US/HEALTHDEPARTMENT)



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

- a. **Article XXI § 2105.63.k.1:** The unauthorized removal of containment barriers or reopening of the work area to the public and/or failure to maintain negative air pressure until the final clearance inspection results were deemed acceptable.

Please be advised that the ACHD has calculated a civil penalty in the amount of \$2,600.00 for the above violations. Before issuing a final order and civil penalty, the ACHD requests an opportunity to meet. Please contact the ACHD within **14 days** of receipt of this notice to schedule a meeting to discuss the violation. A meeting may be scheduled by contacting Shannon Sandberg via email at [ACHDAsbestos@AlleghenyCounty.US](mailto:ACHDAsbestos@AlleghenyCounty.US). If a meeting is not requested, the ACHD will proceed with further enforcement action.

**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.**

If you believe any of the facts in this Notice of Violation are in error, you may submit information to the Department via email, [ACHDAsbestos@AlleghenyCounty.US](mailto:ACHDAsbestos@AlleghenyCounty.US), 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,



Dean DeLuca  
Program Manager  
Air Quality Program

cc: Elizabeth Leturgey  
file