

**ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM**

In the Matter of:

Trisda Group
1039 Brookline Blvd,
Pittsburgh PA 15226

Violation No. ASB-21-0801

Violations of Article XXI (“Air
Pollution Control”) at property:

160 Southern Avenue
Pittsburgh, PA 15211

ENFORCEMENT ORDER

NOW, this 27th day of August 2021 the Allegheny County Health Department (hereinafter “ACHD” or “Department”) issues this Enforcement Order after it has found and determined the following:

1. The Director of the ACHD has been delegated authority pursuant to the federal Clean Air Act, 42 U.S.C. Sections 7401-7671q (hereinafter “CAA”), and the Pennsylvania Air Pollution Control Act, 35 P.S. Sections 4001-4014 (hereinafter “APCA”), and the ACHD is a local health agency organized under the Local Health Administration Law, 19 P.S. §§ 12001-12028, whose powers and duties include the enforcement of laws relating to public health within Allegheny County including, but not limited to, the ACHD’s Rules and Regulations, Article XXI, Air Pollution Control (Allegheny County Code of Ordinances Chapter 505, 507, and 535) (hereinafter “Article XXI”).

2. The ACHD, through its powers under Article XXI, maintains the authority to regulate all asbestos abatement activity within the boundaries of Allegheny County. Article XXI also incorporates the federal asbestos abatement regulations regarding asbestos abatement activity in Allegheny County, Article XXI § 2105.62.b.

3. Trisda Group is a limited liability Pennsylvania corporation with a registered business address of 1039 Brookline Blvd., Pittsburgh, PA 15226. Trisda Group is a lessor of single-family homes and apartments in Pittsburgh, PA.

4. Trisda Group is the owner of a commercial property located at 160 Southern Ave., Pittsburgh, PA 15211 (Parcel ID: 0004-P-00132-0000-00) (hereinafter “Southern Ave. Property”).

5. The Southern Ave. Property was previously occupied by Mt. Washington Psychiatric Services and operated as a medical office.

6. On May 3, 2018, Trisda Group appeared in front of Pittsburgh’s Zoning Board of Adjustments in Zone case 100 of 2018 seeking a variance for the Southern Ave. property for “Change of use to multi-unit residential; (9 units) in existing building.”

7. On January 25, 2021, a building permit was applied for by S&T Plumbing LLC, (Permit No. SSP-2021-01401) to the City of Pittsburgh for the installation of a fire suppression system.

8. On February 3, 2021, an ACHD Representative emailed a letter to S&T Plumbing requesting a copy of their asbestos survey.

9. On March 4, 2021, an ACHD Representative emailed a second notice letter to S&T Plumbing requesting a copy of their asbestos survey. S&T replied via email stating they were working on the exterior fire system.

10. On March 18, 2021, an ACHD Representative called a phone number associated with Trisda Group and spoke with Trisda Group’s Representative, Trent Seaman, who reported that they did not have a thorough asbestos survey to provide to ACHD and reported they were not aware of the survey requirements.

11. On March 19, 2021, an Administrative Field Order was issued stopping work at the Southern Ave. property and requiring a thorough asbestos survey to be completed, and dust and air sampling conducted.

12. On March 28, 2021, the Trisda Group provided a thorough asbestos survey and air and dust samples to ACHD. The survey was negative for asbestos containing materials. The air samples returned a few asbestos fibers but was not at an actionable level.

13. On March 29, 2021, the requirements of the Administrative Field order were met, and the order was lifted.

14. On April 12, 2021, Trisda Group appealed the Administrative Field Order.

15. Article XXI, § 2105.62.b, requires regulated facilities to have a thorough asbestos survey performed prior to conducting renovation activities. The ACHD finds that Trisda Group violated Article XXI, §2105.62.b, by completing renovation activities at 160 Southern Ave. without a thorough asbestos survey being completed and provided to ACHD upon request.

16. On July 27, 2021, ACHD Representatives and Trisda Group representatives met to discuss the violation. During the meeting, Trisda Group did not dispute the violation of Article XXI, §2105.62.b, but explained that they were unaware of the asbestos regulation and were not advised of the requirements when applying for the Building Permit.

ORDER

NOW THEREFORE, pursuant to the authority granted to the ACHD by Article XXI § 2109.03.a.1 and the Local Health Administration Law, 19 P.S. § 12010, it is hereby ORDERED that:

17. For the violation set forth in the preceding paragraphs, Trisda Group is hereby assessed a civil penalty of **ONE THOUSAND AND ONE HUNDRED DOLLARS (\$1,100)**.

18. Trisda Group shall pay the civil penalty amount within thirty (30) days of receipt of this Order. Payment shall be made by corporate or certified check, or the like, made payable to the “Allegheny County Clean Air Fund”, and sent to Air Quality Program manager, Allegheny County Health Department, 301 39th Street, Bldg. #7, Pittsburgh, PA 15201.

19. The ACHD has determined the above civil penalty to be in accordance with Article XXI § 2109.06.b. reflecting relevant factors including, but not limited to: the nature, severity and frequency of the alleged violations; the maximum amount of civil and criminal penalties authorized by law; the willfulness of such violations; the impact of such violations on the public and the environment; the actions taken by Trisda Group to minimize such violations and to prevent future violations; and Trisda Group’s compliance history.

20. 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.

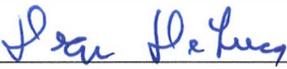
21. Pursuant to Article XI (“Hearings and Appeals”) of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order you have thirty (30) days in which to file an appeal from the receipt of this Order. Such a Notice of Appeal shall be filed in 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 ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final.

22. Please be aware that if you wish to appeal this Order, you are required within 30 days of receipt of this Order to either forward the penalty amount of the ACHD for placement in an escrow account or post an appeal bond to the ACHD in the amount of the penalty. Please review

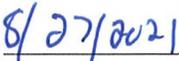
the specific requirements for prepaying the penalty or posting the appeal bond found in Article XXI §§ 2109.06.a.2-3. A copy of Article XXI and Article XI may be found at <https://www.alleghenycounty.us/Health-Department/Health-Department-Regulations.aspx>.

DONE and ENTERED this 27th day of August 2021, in Allegheny County, Pennsylvania.

For:



Dean DeLuca
Air Quality Program Manager



Date