

Case Report for Consent Order A17-036, Asbestos Case – Boca Ciega Townhomes

3401 & 3797 37th Street South, St. Petersburg

On March 16, 2017, Air Quality Division (AQD) personnel conducted a surveillance inspection after observing renovations in progress at the property located at 3797 37th Street South (Southern parcel). The on-site inspection conducted by AQD staff confirmed interior and exterior renovations were in progress in three buildings in the Southern Parcel and similar renovations had already been completed throughout the Northern Parcel (3797 37th Street South). Large quantities of suspect asbestos-containing materials had been disturbed, and no inspection for asbestos was performed. The subject property consists of:

- Northern Parcel: 11 buildings with 60 rental units, a laundry facility, and a leasing office
- Southern Parcel: 9 buildings with 49 rental units, a laundry facility, and a leasing office

A follow up inspection was conducted on March 24, 2017 to gather more information. At that time, the following approximate quantities of suspect asbestos containing materials were observed to have been disturbed:

- 108,871 square feet of roofing material (since re-roofing of all buildings was completed prior to the initial 3/16/17 inspection, this material was not able to be analyzed)
- 3,410 square feet of walls and ceilings in 11 buildings on the Northern Parcel (amount is estimated, as renovations were completed prior to the 3/16/17 inspection), this material was not analyzed but was confirmed by the consultant to be homogenous with the materials found in the Southern Parcel)
- 1,290 square feet of drywall and joint compound in Buildings B15, B17, and B19 on the Southern Parcel, found to contain <1% asbestos
- 434 square feet of popcorn ceiling texture in Buildings B15, B17, and B19 on the Southern Parcel, found to contain 5% asbestos
- 498 square feet of orange peel wall texture in Buildings B15, B17, and B19 on the Southern Parcel, found to contain 1.75% asbestos
- An unknown quantity of various types of vinyl floor tiles and vinyl floor sheeting, found to contain 2-65% asbestos

An after-the-fact asbestos survey was conducted April 4 & 5, 2017. Analysis results were obtained on April 14, 2017 and April 17, 2017, which confirmed the materials contained asbestos as noted above.

On April 18, 2017 a follow up inspection was conducted, where it was observed that additional work had occurred and additional asbestos containing material had been disturbed since the inspection conducted on March 24, 2017. Additional approximate amounts of known asbestos containing materials disturbed in Buildings B15, B17, B19 and now including A18 were as follows:

- 2 square feet of asbestos containing popcorn ceiling texture
- 224 square feet of asbestos containing orange peel wall texture

The inspections revealed multiple violations had occurred related to controlling the handling and emissions of asbestos during the renovations. Entities (Respondents) responsible for these renovations are:

- Owner – Boca Ciega Partners TC, LP

- General Contractor – Halfacre Construction Company
- Sub-Contractor (unlicensed) – JP Services of Sarasota, LLC

The Respondents took steps to bring the facility back into compliance once made aware of the violations. A Notice of Violation was sent to all three Respondents on May 23, 2017. A meeting was held in the AQD office on June 22, 2017 with the Respondents.

The owner, Boca Ciega Partner TC, LP, has agreed to resolve the violations through a Consent Order which includes a penalty of \$80,745.50. The penalty will be due on or before September 10, 2017.

Pursuant to Resolution 94.63, the County Administrator or his designee has the authority to execute consent orders for environmental infractions for penalty amounts up to \$25,000.00. Consent orders over \$25,000.00 must be executed by the Board of County Commissioners (BCC). Therefore, this Consent Order is requested to be executed by the BCC.