

## Case Report for Consent Order A16-012, Asbestos Case- Sailpointe Apartments

6740 & 6742 Gulfport Boulevard South, South Pasadena

On November 9, 2015, Air Quality Division (AQD) personnel responded to an anonymous citizen complaint concerning a renovation project in progress at the subject property. The complainant was concerned that no thorough inspection for asbestos was performed prior to the renovation.

The on-site inspection by AQD staff confirmed large quantities of suspect asbestos-containing materials had been disturbed during the renovation and no inspection for asbestos was performed. The subject residential installation consists of:

- 2 apartment buildings, both three (3) stories high
- Each building contains 30 individual apartment units (60 units total)

The facility was not occupied during the renovation activities.

57 of the 60 apartment units were affected by the renovation activities at the time of the initial AQD inspection; the facility had been under renovation for at least four months. An after-the-fact Point-Count analysis of suspect material confirmed the following approximate quantities of regulated Asbestos Containing Materials (ACM) were disturbed during the renovation:

- 35,000 square feet of ceiling texture
- 15,000 square feet of textured drywall systems.

Follow-up inspections revealed multiple violations had occurred related to controlling the handling and emissions of asbestos during removal or disposal of the ACM. In addition, it was discovered that demolition and disposal of the facility's 3,500 square foot carport structure was performed without inspection for asbestos or notification to AQD. Entities (Respondents) responsible for this renovation and demolition are:

- Owner – McKinley Gulf of Mexico, LLC
- Contractor – Randazzo Builders, Inc.

The facility ownership quickly took steps to bring the facility back into compliance once it was made aware of the violations. The contractor was removed from the project.

A Notice of Violation was sent to both respondents. Both parties were cooperative throughout the case, therefore a 20% reduction was applied to the penalty. The initial economic benefit component of the penalty was also adjusted (reduced) to account for costs associated with "clean-up" abatement activities performed.

The contractor, Randazzo Builders, Inc. has agreed to resolve the violations through a Consent Order which includes a penalty of \$45,520. The penalty will be paid in three installments of \$15,173 due on or before: May 30, June 30, and July 30, 2016.

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. Consent orders over \$25,000 must be executed by the Board of County Commissioners (BCC). Therefore, this Consent Order is requested to be executed by the BCC.