

**BOARD OF COUNTY
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November 21, 2018

Mr. Stephen P. Rivera, Owner
c/o Mr. Ivan Wolfson
149 Oak Knoll Terrace
Highland Park, IL 60035
(Sent via email to: doc_iw@yahoo.com)

RE: Second Revised Consent Order No. A18-037

CERTIFIED MAIL: 7017 3380 0000 9839 8426

Mr. Wolfson:

On the basis of an inspection performed by Pinellas County Staff on April 11, 2018 at the 10-Unit Apartment Building, located at 306 129th Avenue East, Madeira Beach, Mr. Stephen P. Rivera was found to be in violation of Pinellas County Code, Chapter 58. Revised Consent Order A18-037 was issued on October 10, 2018 to resolve the violations, and was due on November 15, 2018. However, per email correspondence with Mr. Jon Coats on November 14, 2018, additional revisions to Revised Consent Order A18-037 were requested. Therefore, Revised Consent Order A18-037 is hereby revoked and replaced with Second Revised Consent Order A18-037.

Please find enclosed, Second Revised Consent Order A18-037. Please sign and return it to this office by November 30, 2018. An officer or a duly authorized representative of Mr. Stephen P. Rivera must sign the Second Revised Consent Order. If a representative signs the Order, a letter signed by Mr. Stephen P. Rivera, stating that the representative has the authority to act on his behalf, must be on file or included with the Order.

If you have any questions or need more information please contact Cari Burchfield at (727) 464-4422.

Sincerely,

Ajaya Satyal
Air Quality Division Manager

Copy: Mr. Jon Coats, Coats Schmidt, PA (Sent via email to: jon@cqsllaw.com)
Case File, Read File

Pinellas County Air Quality
509 East Ave. S. • Suite 138
Clearwater, FL 33756
Main Office: (727) 464-4422
FAX: (727) 464-4420
V/TDD: (727) 464-4062



Re: Proposed Final Agency Action (Second Revised Consent Order)
Mr. Stephen P. Rivera
Enforcement Case No: A18-037

The purpose of this Consent Order (Order) is to complete the resolution of the violations previously identified by the Pinellas County Air Quality Division (Division) in the Notice of Violation dated July 17, 2018. The Respondent (Mr. Stephen P. Rivera) agrees to:

- 1) Ensure cleanup of the remaining disturbed asbestos containing materials, located inside the 10-Unit Apartment Building, located at 306 129th Avenue East, Madeira Beach, is completed in accordance with all applicable Federal, State, and County regulations.
- 2) Thoroughly inspect for the presence of all asbestos, including Category I and Category II non-friable ACM for all future renovation or demolition operations to comply with Pinellas County Code, Chapter 58.
- 3) Ensure that all renovation or demolition work performed by or under the direction of the Respondent complies with all Federal, State, and County regulations that pertain to the notification requirements and asbestos removal procedures of said projects.
- 4) Pay to the Division a total of \$33,500 to complete settlement of the violations described in the Notice of Violation. The payments shall be paid as described below.
 - 1) First payment of \$11,166.67 is due December 28, 2018.
 - 2) Second payment of \$11,166.67 is due January 25, 2019.
 - 3) Third payment of \$11,166.66 is due February 22, 2019.

Each payment must be made to "Pinellas County Board of County Commissioners" by cashier's check, certified check, or money order and shall include thereon the **Enforcement Case number (A18-037)** assigned above and the notation "**Pinellas County Air Pollution Recovery Fund.**" The payments shall be sent to the address below:

*Pinellas County
Air Quality Division
509 East Ave. South, Ste. 138
Clearwater, Florida 33756*

Your signing of this Order constitutes your agreement to the terms of the Order. By signing this Order, you promise to pay all costs of collection, including a reasonable attorney's fee, upon failure to satisfy the terms of compensation within this Order. After this Order has been countersigned and filed by the Division, the Order shall constitute a Consent Order, that is final action of the Division with regards to the air violations noted, the terms and conditions that may be enforced in a court of competent jurisdiction pursuant to Pinellas County Code, Chapter 58 and Chapters 78-601 and 90-403, Laws of Florida. Failure to comply with the terms of this Order, once signed by you, shall constitute a violation of Chapter 58 of the Pinellas County Code.

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Mr. Stephen P. Rivera
Enforcement Case No: A18-037

The Division, by countersigning this Order, waives its right to seek judicial imposition of damages, or civil penalties for the violations described above. By signing this Order, you waive your rights to a judicial determination on the merits in this matter. If you do not sign and return this Order to the Division at the address given above, it will be assumed that you are not interested in settling this matter according to the terms described herein, and this matter will be referred to the County Attorney's Office with a recommendation that formal enforcement action be taken against you.

***** RESPONDENT *****

[Signature]
WITNESS SIGNATURE

11/30/2018
DATE

[Signature]
BY: RESPONDENT SIGNATURE

Stephen P Rivera
PRINTED NAME OF RESPONDENT

OWNER
TITLE OF RESPONDENT

ATTEST: ~~KEN BURKE~~ CLERK COUNTY *****

By: [Signature]
Deputy Clerk

2-5-2019
DATE

[Signature]
BY: Karen Williams Seel, Chairman
Pinellas County Board of County Commissioners

Approved as to form: [Signature]
County Attorney

ENTERED and FILED this 5TH day of February, 2019, in Clearwater, Florida.

