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July 22, 2016



Mr. Michael Pitts, President  
Alpha to Omega Contractors, Inc.  
9851 North 52<sup>nd</sup> Street  
Tampa, FL 33617

**Re: Notice of Violation: - Commercial Building, 5111 66th Street North**

CERTIFIED MAIL: 7015 3010 0002 1821 1372

Mr. Pitts:

Pursuant to Chapters 78-601 and 90-403, Laws of Florida, and the rules promulgated therein, which authorizes and empowers the Pinellas County Air Quality Division to control, abate and prohibit pollution of the air in Pinellas County, Florida, you are hereby notified of findings which indicate that violations of the Pinellas County Code has taken place as follows:

- 1. Pinellas County Code, Section 58-149. National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation**  
(a) Applicability. To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II non-friable ACM.

Specifically, Alpha to Omega Contractors, Inc. caused renovation activities and failed to thoroughly inspect the referenced facility for asbestos containing materials prior to the renovation operation. Inspection by Pinellas County Air Quality Division (PCAQD) personnel revealed the following approximate quantities of suspect asbestos containing building materials were disturbed:

- 13,000 square feet of ceiling tiles
- 7,000 square feet of drywall systems
- 1,000 square feet of popcorn ceiling texture

- 2. Pinellas County Code, Section 58-149(a). National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation**  
Notification requirements. Each owner or operator of a demolition or renovation activity to which this section applies shall:

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

www.pinellascounty.org



(1) Provide the Administrator with written notice of intention to demolish or renovate. Delivery of the notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(3) Postmark or deliver the notice as follows:

(i) At least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), if the operation is described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section. If the operation is as described in paragraph (a)(2) of this section, notification is required 10 working days before demolition begins.

Specifically, Alpha to Omega Contractors, Inc. caused asbestos stripping and removal operations at the referenced facility, without first submitting written notification to the Pinellas County Air Quality Division ten working days prior to commencement of abatement activities. An inspection by PCAQD personnel revealed the following approximate quantities of Regulated Asbestos Containing Material (RACM) had been disturbed:

- 1,000 square feet of textured drywall systems
- 1,000 square feet of popcorn ceiling texture

**3. Pinellas County Code, Chapter 58, Section 58-149(a). National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation.**

(c)(1) Remove all Regulated Asbestos Containing Material (RACM) from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal.

Specifically, all RACM was not removed from the referenced facility prior to the commencement of renovation activities. These renovation activities dislodged RACM from the walls and ceilings of the above referenced facility. Inspection by PCAQD personnel on June 22, 2016 observed disturbed RACM in and about the affected areas of the facility.

**4. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, SUBPART M, 61.145 Standard for demolition and renovation.**

(c)(3) When Regulated Asbestos Containing Material (RACM) is stripped from a facility component while it remains in place in the facility, adequately wet the RACM during the stripping operation;

A total of approximately 2,000 square feet of RACM was stripped from the referenced facility without adequately wetting the material. An inspection by PCAQD personnel on June 22, 2016 observed dry disturbed RACM in and about the affected areas of the facility.

**5. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation.**

(c)(6) Adequately wet the Regulated Asbestos Containing Material and ensure that it remains wet until collected and contained or treated in preparation for disposal.

Specifically, approximately 2,000 square feet of previously stripped RACM did not remain wet and was not properly collected or contained for disposal. PCAQD on-site inspection determined no wetting of the stripped RACM was performed. Additionally, the dry asbestos containing waste material was disposed of in open-air waste containers, resulting in approximately 290 cubic feet of comingled asbestos containing waste material.

**6. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation.**

(c) (4) After a facility component covered with, coated with, or containing RACM has been taken out of the facility as a unit or in sections pursuant to paragraph (c)(2) of this section, it shall be stripped or contained in leak-tight wrapping, except as described in paragraph (c)(5) of this section.

Specifically, approximately 2,000 square feet of disturbed RACM was not contained in leak-tight wrapping until transport and disposal. Stripped, dry RACM waste was found in common hallways, the parking areas and two open-air roll-off dumpsters in the parking lot of the facility.

**7. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, SUBPART M, 61.150 Standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations.**

(a) Discharge no visible emissions to the outside air during the collection, processing (including incineration), packaging, or transporting of any asbestos-containing waste material generated by the source, or use one of the emission control and waste treatment methods specified in paragraphs (a)(1) through (4) of this section.

Specifically, dry and disturbed asbestos containing waste material from the stripping operations of approximately 2,000 square feet of asbestos containing material was observed on the ground in the parking area and in two open-air roll-off dumpsters.

**8. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, SUBPART M, 61.145 Standard for demolition and renovation.**

(c) (8) Effective 1 year after promulgation of this regulation, no RACM shall be stripped, removed, or otherwise handled or disturbed at a facility regulated by this section unless at least one on-site representative, such as a foreman or management-level person or other authorized representative, trained in the provisions of this regulation and the means of complying with them, is present.

Specifically, a trained on-site representative was not present during the removal of approximately 2,000 square feet of regulated asbestos containing material (RACM).

Based on the facts stated above, and on the results of a June 22, 2016 inspection at the Commercial Building, located at 5111 66th Street North, St. Petersburg, this serves as a Notice of Violation.

**Respond By Phone and in Writing within 10 Days**

Please call Cari Burchfield upon receipt of this letter to discuss the resolution of the violations for which Alpha to Omega Contractors, Inc. may be responsible and follow-up in writing explaining the circumstances that may have led to the alleged violations and propose any corrective action deemed necessary to bring the facility back in compliance. You have the opportunity to request a conference if you feel that the violations did not occur and can provide supporting evidence. The initial discussion with the Division and follow-up written response will not absolve Alpha to Omega Contractors, Inc. of potential civil penalty.

If Alpha to Omega Contractors, Inc. does not submit the follow-up written response within ten (10) calendar days of receipt of this Notice of Violation, a Consent Order will be issued specifying compliance conditions along with a penalty of \$40,000.

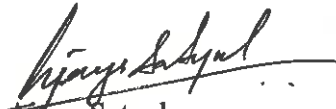
**Potential Enforcement Action**

Operation of a source in violation of Pinellas County Code, Chapter 58, may result in liability for damage and restoration and judicial imposition of a civil penalty up to a maximum of \$10,000 per violation, per day, pursuant to chapters 78-601 and 90-403, Laws of Florida. Continuation of activities in violation of existing regulations can result in fines being levied for each and every day a violation takes place. Violations may be resolved through entry into a Consent Order or formal enforcement action.

Failure to respond to this notice, or comply within the specified time frames, may result in commencement of civil, administrative or criminal action for injunctive relief and the assessment of civil and/or criminal penalties as provided by this Code, and the Florida Statutes. Also, the State of Florida, Department of Environmental Protection, reserves the right to take enforcement actions related to the potential violations cited above.

If you have any questions regarding this matter, please contact Cari Burchfield at (727) 464-4422.

Sincerely,



Ajaya Satyal  
Air Quality Division Manager

Copy: Case File, Read File