

Case Report for Consent Order A17-005, Asbestos Case – Five Adjacent Residences

333, 333½, 337, 341, & 341½ 8th Street North, St. Petersburg

On November 21, 2016, Air Quality Division (AQD) personnel conducted a complaint inspection after receiving a citizen complaint regarding demolition in progress at the subject properties. The on-site inspection conducted by AQD staff confirmed three of the five residences had been demolished, large quantities of suspect asbestos-containing materials had been disturbed, and no inspection for asbestos was performed. The subject property consists of:

- Five adjacent residences

The residences were located on the same site and were being demolished as part of a larger project that was under the control of the same owner and operators.

At the time of the initial AQD inspection, demolition of three of the five residences had already occurred and debris was observed scattered throughout the site. An after-the-fact analysis of the suspect materials remaining in the debris piles on site confirmed the following approximate quantities of asbestos containing materials (ACM) were found:

- 1,004 square feet of cement siding in the debris pile from 333½ 8th St. N, which contained 26% asbestos
- 25 square feet of cement siding in the debris pile from 333 8th St. N, which contained 25% asbestos

The inspection revealed multiple violations had occurred related to controlling the handling and emissions of asbestos during the demolition. The demolition methods had resulted in significant breakage and pulverization of the asbestos cement siding rendering it regulated asbestos containing material (RACM). During the inspection, it was noted that at least three loads of debris had already been disposed of. Entities (Respondents) responsible for this demolition are:

- Owner – GS 337 8th Street N, LLC
- General Contractor – Wade Contracting Services, LLC
- Sub-Contractor (unlicensed) – FSP Transport, Inc.

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. A meeting was held in the AQD office on January 23, 2017 with the owners, during which it was agreed to adjust (remove) the initial economic benefit component of the penalty (\$6,513.00) and change the violation regarding asbestos not deposited at an approved site to be based upon a lesser square footage (a \$4500 penalty was changed to \$2000). These adjustments were made to account for the “clean-up” abatement activities that were performed.

The owner, GS 337 8th Street N, LLC, has agreed to resolve the violations through a Consent Order which includes a penalty of \$36,400.00. The penalty will be paid in three installments due on or before: February 24, 2017, March 24, 2017, and April 24, 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.