



# Pinellas County

## Legislation Details (With Text)

**File #:** 18-2085A      **Version:** 1

**Type:** Contract/Agreement      **Status:** Passed

**File created:** 12/14/2018      **In control:** Parks and Conservation Resources

**On agenda:** 2/5/2019      **Final action:** 2/5/2019

**Title:** Air Quality Consent Order A18-037 with Stephen P. Rivera, owner of a 10-unit apartment building located at 306 129th Avenue East, Madeira Beach.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. FE Air Quality Consent Order A-18-037, 2. Attachment 1 Second Revised Consent Order A18-037, 3. CONTRACT.RVW-PCR\_Air Quality\_Air Pollution TF\_12-20-18.pdf, 4. Attachment 4 Location map 10 Unit Apt Building, 5. Attachment 3 Case Report 10 Unit Apt Building, 6. Attachment 2 Notice of Violation 10 Unit Apt Building

Date	Ver.	Action By	Action	Result
2/5/2019	1	Board of County Commissioners	approved	Pass

**Subject:**

Air Quality Consent Order A18-037 with Stephen P. Rivera, owner of a 10-unit apartment building located at 306 129th Avenue East, Madeira Beach.

**Recommended Action:**

Approval to execute a Consent Order to resolve an asbestos case with Stephen P. Rivera (Respondent).

- Multiple violations of asbestos regulations had occurred related to handling and the controlling of emissions of asbestos during the renovation activities at the referenced 10 unit apartment building.
- The Respondent took steps to bring the facility back into compliance once made aware of the violations. The exterior of the facility has been cleaned up, the Consent Order requires the owner to submit a required notification for interior clean up in the future.
- The financial benefit component (\$26,000.00) has been removed from the penalty calculation as the costs of remediation will exceed any possible benefit.
- The Consent Order includes a penalty of \$33,500.00. The Respondent agrees to pay the penalty in three installments.

**Strategic Plan:**

Practice Superior Environmental Stewardship

3.3 Protect and improve the quality of our water, air, and other natural resources

Deliver First Class Services to the Public and Our Customers

5.3 Ensure effective and efficient delivery of county services and support

**Summary:**

Approval of the consent order will resolve asbestos air quality violations. The respondent has agreed to the terms outlined in the attached consent order, including a penalty of \$33,500.00 to be paid into the Pinellas County Air Pollution Recovery Trust Fund. A case report is attached.

**Background Information:**

The Air Quality Division is recognized by the Environmental Protection Agency and State of Florida Department of Environmental Protection as a local air program and has the authority to administer and enforce Federal Asbestos Regulations through program delegation.

On April 11, 2018, Air Quality Division (AQD) personnel conducted an onsite inspection after receiving a citizen complaint regarding renovations in progress at a ten unit apartment building located at 306 129th Avenue East, Madeira Beach. Large quantities of suspect asbestos-containing materials including drywall systems on the wall and ceilings, orange-peel wall texture, and popcorn ceiling textures had been disturbed; and no thorough inspection for asbestos was performed. The renovation activities were not performed by a licensed asbestos abatement contractor.

**Fiscal Impact:**

\$33,500.00 will be deposited into the Pinellas County Air Quality Pollution Recovery Trust and Agency account pursuant to the schedule in the attached consent order.

**Staff Member Responsible:**

Ajaya K. Satyal, Air Quality Division Manager, Parks and Conservation Resources

**Partners:**

Environmental Protection Agency  
Florida Department of Environmental Protection

**Attachments:**

Consent Order  
Notice of Violation  
Case Report  
Site Map