



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

March 12, 2018

CERTIFIED MAIL

Mr. Eric L. Witherspoon
President
Arick's Environmental Management
Services, Inc.
19718 Kings Highway
Warrensville Heights, Ohio 44122

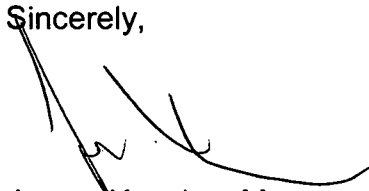
Re: Final Findings and Orders for air pollution
violations

Dear Mr. Witherspoon,

Transmitted herewith are the Final Findings and Orders ("Orders") of the Director of Ohio EPA concerning the above-referenced matter.

Please note that the effective date of the Orders is the date that the Orders were entered into the Ohio EPA Director's journal, which is the date that is stamped on the first page of the Orders.

Sincerely,



James Kavalec, Manager
Compliance/Enforcement Section
Division of Air Pollution Control

ec: James Lee, PIC
Steve Feldmann, Legal
Valencia White, CDAQ
Bryan Sokolowski, CDAQ
Terri Dzienis, Canton
Jacki Hupp, Canton
Muhammad Mereb, DAPC

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Arick's Environmental Management Services, Inc. : Director's Final Findings
19718 Kings Highway : and Orders
Warrensville Heights, Ohio 44122 :

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Arick's Environmental Management Services, Inc. ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") §§ 3704.03 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of the facility (as hereinafter identified) shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3704 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA makes the following findings:

1. Respondent owns and operates an asbestos abatement company which is located at 19718 Kings Highway, in Cleveland, Ohio (Cuyahoga County). Respondent is an "owner or operator," as defined in Ohio Administrative Code ("OAC") Rule 3745-20-01(B)(39).

2. "Facility", as defined by OAC Rule 3745-20-01(B)(18), means any institutional, commercial, public, industrial or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any structure, installation or building that contains a loft used as a dwelling is not considered a residential structure, installation or building. Any structure, installation or building that was previously subject to this rule due to its prior use or function is not excluded, regardless of its current use or function.

3. "Installation" as defined by OAC Rule 3745-20-01(B)(28), means any building or structure or any group of buildings or structures at a single demolition or renovation site that are under the control of the same owner or operator, or owner or operator under common control.
4. "Regulated asbestos-containing material" ("RACM") is defined in OAC Rule 3745-20-01(B)(42) and includes friable asbestos material; Category I nonfriable asbestos-containing material that has become friable; Category I nonfriable asbestos-containing material that will be or has been subjected to sanding, grinding, cutting, or abrading; or Category II nonfriable asbestos-containing material that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this chapter.
5. "Owner or operator" as defined by OAC Rule 3745-20-01(B)(39) means any person who owns, leases, operates, controls, or supervises the facility being demolished or renovated or any person who owns, leases, operates, controls or supervises the demolition or renovation or both.
6. OAC Rule 3745-20-02(A) requires that each owner or operator of a demolition or renovation operation, prior to the commencement of such operations, have the affected facility or portion of a facility thoroughly inspected by a certified asbestos hazard evaluation specialist for the presence of asbestos-containing material, including Category I and Category II nonfriable asbestos-containing material as defined in OAC Rule 3745-20-01(B)(9) and (B)(10).
7. Pursuant to OAC Rule 3745-20-02(B)(1), the requirements of 3745-20-03, 3745-20-04, and 3745-20-05 apply to the owner and operator of a facility being renovated or demolished if the amount of RACM is at least 260 linear feet on pipes, at least 160 square feet on other facility components, or at least 35 cubic feet off facility components where the length or area could not be measured previously.
8. OAC Rule 3745-20-03(A)(3), states, in part, that each owner or operator of a subject renovation or demolition operation shall provide the Director of Ohio EPA with a written notice of intention to demolish or renovate by not later than 10 days prior to the beginning of any demolition operation, asbestos removal work, or any other activity that break up or disturb asbestos material.
9. OAC Rule 3745-20-03(A)(3)(d), states, in part that the owner or operator is required to notify the Ohio EPA field office on any changes to the original start date listed in the original notice, for any asbestos stripping or removal work of the facility.
10. OAC Rule 3745-20-03(D) requires that each owner or operator of a subject demolition operation to inform the appropriate Ohio EPA field office by telephone or facsimile when changes to the information provided by the notice occur.

11. OAC Rule 3745-20-04(A)(1), states, in part, that each owner or operator of a subject renovation or demolition operation shall remove all RACM from such facility before any activity begins that would break up, dislodge, or similarly disturb the materials or preclude access to the materials for subsequent removal.
12. OAC Rule 3745-20-04(A)(6) requires the owner or operator of a subject renovation or demolition operation to ensure all RACM, including material that has been removed or stripped, remain adequately wet until collected and contained or treated in preparation for disposal in accordance for OAC Rule 3745-20-05.
13. OAC Rule 3745-20-04(C) states that each owner or operator of any demolition or renovation, shall ensure that all RACM which have been damaged or made friable be demolition, renovation or adjacent stripping operations are repaired, encapsulated, or removed for disposal in accordance with OAC Rule 3745-20-05.
14. OAC Rule 3745-20-05(B)(1) states, in part, that each owner or operator of any subject demolition operation shall discharge no visible emissions to the outside air during the collection, processing, packaging, transporting, or deposition of any of asbestos-containing waste material.
15. OAC Rule 3745-20-05(B)(1)(c) requires, in part, the owner or operator of the renovation or demolition operation to seal the asbestos-containing waste material ("ACWM") after wetting in durable leak-tight containers or wrapping.
16. OAC Rule 3745-20-05(C)(1) requires, in part, each owner or operator of any demolition or renovation operation to whom this rule applies to ensure that all containers of ACWM are properly labeled with appropriate asbestos warning and waste generator information.
17. OAC Rule 3745-20-05(C)(3) requires, in part, each owner or operator of any renovation operation to whom this rule applies to ensure the ACWM is placed in approved bags and/or containers that are leak-tight with double layers.
18. OAC Rule 3745-20-05(G) requires in part, each owner or operator of any demolition or renovation operation to whom this rule applies to prepare and secure any load of ACWM in a manner that prevents any emissions, load loss, and spillage or leakage of liquids when removing or transporting ACWM to a disposal site.
19. ORC § 3704.05(G) prohibits any person from violating any OAC rule adopted by the Director of Ohio EPA pursuant to ORC Chapter 3704. OAC Chapter 3745-20 was adopted by the Director pursuant to ORC Chapter 3704.
20. The Canton City Health Department, Air Pollution Control Division ("Canton APC") is a contractual agent for Ohio EPA's Division of Air Pollution Control in Stark County.

21. Cleveland Division of Air Quality ("CDAQ") is the contractual representative for Ohio EPA in air quality matters within Cuyahoga County.

22. The properties in the following table are the subject of these Orders. They are facilities as defined in OAC Rule 3745-20-01(B)(18) and they are part of installations as defined in OAC Rule 3745-20-01(B)(28):

Local Air Agency (County)	Facility	Address
Canton APCD (Stark)	Facility #1	1130 E. Patterson Street, Alliance, Ohio 44601
	Facility #2	766 S. Seneca Avenue, Alliance, Ohio 44601
	Facility #3	546 S. Freedom Avenue, Alliance, Ohio 44601
CDAQ (Cuyahoga)	Facility #4	9910 Pierpont Avenue, Cleveland, Ohio 44108
	Facility #5	10216 Pierpont Avenue, Cleveland, Ohio 44108
	Facility #6	3212 East 57 th Street, Cleveland, Ohio 44127

Facility #1 (1130 E. Patterson Street, Alliance, Ohio 44601)

23. On December 7, 2016 Howland Company, LLC ("Howland") collected 22 bulk samples as part of the asbestos survey of facility #1 for the City of Alliance. The report dated December 16, 2016 identified 228 square foot ("sq. ft.") of RACM, 3,000 sq. ft. of Category II nonfriable ACM, and 1,320 sq. ft. of Category I nonfriable ACM.

24. On February 8, 2017, Ohio EPA Northeast District Office ("NEDO") received the original notification of demolition form for Facility #1 and it was forwarded to Canton APCD on February 15, 2017. The amount of RACM to be removed was 228 sq. ft. and 3,000 sq. ft. of Category II nonfriable ACM. An amount of 1,320 sq. ft. of Category I nonfriable ACM was not to be removed. Asbestos removal dates were from February 21, 2017 to February 23, 2017. Demolition was scheduled between February 24, 2017 and March 24, 2017. Respondent was listed as the asbestos abatement contractor.

25. On February 22, 2017, Canton APCD conducted an abatement inspection at Facility #1 and observed RACM debris in the form of thermal system insulation ("TSI") in the basement. RACM debris was dry and not bagged. The inspector also observed transite debris on the exterior of the structure along the north side of the Facility. Canton APCD collected samples of the TSI to determine the presence of asbestos. The site was vacant although ACM removal was scheduled that day based on the notification form. Respondent was informed that the asbestos abatement at Facility #1 was not complete and that demolition could not commence until all RACM was removed. Canton APCD also requested a revised notification form prior to Respondent return to the site to clean-up the remaining RACM.

26. On February 23, 2017, Canton APCD received a revised demolition notification form to put the project on hold.

27. On March 2, 2017, EA Group analyzed the samples collected on February 22, 2017 and confirmed the presence of asbestos (the analytical report dated March 3, 2017). The exterior transite material contained 15% Chrysotile asbestos.

28. On March 6, 2017, Canton APCD received a revision to the demolition notification form to resume the asbestos removal from March 6, 2017 to March 7, 2017.

29. On March 6, 2017, Canton APCD and Ohio Department of Health ("ODH") inspected Facility #1. The inspectors observed RACM remaining in several locations and took two samples. Respondent was requested to clean-up the ACM debris identified then contact Canton APCD for re-inspection.

30. On March 7, 2017, Canton APCD and ODH conducted a re-inspection and confirmed that the ACM debris had been removed.

31. On March 21, 2017, EA Group analyzed the samples collected on March 6, 2017 and confirmed the presence of asbestos (the analytical report dated March 22, 2017). Both samples contained 50% Chrysotile asbestos.

32. On March 21, 2017, Canton APCD sent a notice of violation ("NOV") letter to Respondent for the violations discovered during the inspections of Facility #1.

33. As a result of these inspections, the Director has determined that Respondent had:

- Failed to notify the appropriate Ohio EPA field office or local air agency by telephone or facsimile when changes to the information provided by the notice occur in violation of OAC Rule 3745-20-03(D);
- Failed to remove all RACM in violation of OAC Rule 3745-20-04(A)(1);
- Failed to maintain RACM adequately wet until collected or contained in violation of OAC Rule 3745-20-04(A)(6);
- Failed to repair, encapsulate, or remove RACM prior to the removal of emissions controls in violation of OAC Rule 3745-20-04(C);
- Failed to seal all ACWM while wet in durable leak-tight containers or wrapping in violation of OAC Rule 3745-20-05(B)(1)(c); and
- Failed to properly package all ACWM in sealed plastic bags and label them in violation of OAC Rule 3745-20-05(C).

Facility #2 (766 S. Seneca Avenue, Alliance, Ohio 44601)

34. On December 7, 2016 Howland collected 12 bulk samples as part of the asbestos survey of Facility #2 for the City of Alliance. The report dated December 16, 2016 identified 727 sq. ft. of RACM and 838 sq. ft. of Category I nonfriable ACM. The report was revised on February 27, 2017 and RACM was changed to 923 sq. ft. due to the discovery of additional ACM as noted by Canton APC on February 22, 2017.

35. On February 8, 2017, NEDO received the original notification of demolition form for Facility #2 and it was forwarded to Canton APCD on February 15, 2017. The amount of RACM to be removed was 727 sq. ft. An amount of 838 sq. ft. of Category I nonfriable ACM was not to be removed. Asbestos removal dates were from February 20, 2017 to February 21, 2017. Demolition was scheduled between February 22, 2017 and March 22, 2017. Respondent was listed as the asbestos abatement contractor.

36. On February 22, 2017, Canton APCD conducted a post abatement inspection and observed RACM debris in the form of TSI on the ground which was dry, not bagged, or sealed. The inspector also observed drop ceiling tiles that were not listed in the demolition notification. Respondent was informed that the asbestos abatement at Facility #2 was not complete and that demolition could not commence until all RACM was removed. Canton APCD also requested a revised notification form prior to Respondent's return to the site to clean-up the remaining RACM.

37. On February 23, 2017, Canton APCD received a revised demolition notification form to change the asbestos removal date to February 23, 2017 and demolition date to March 22, 2017.

38. On February 24, 2017, Respondent provided Canton APCD pictures of the site after the ACM had been removed.

39. On March 6, 2017, Canton APCD and ODH inspected Facility #2 and observed minor quantities of TSI and drywall debris in the basement and first floor of the facility. Respondent was requested to clean-up this RACM debris. Later the same day, Canton APCD and ODH revisited Facility #2 and confirmed that the RACM debris had been removed.

40. On March 21, 2017, Canton APCD sent a NOV letter to Respondent for the violations discovered during the inspections of Facility #2.

41. As a result of these inspections, the Director has determined that Respondent had:

- Failed to remove all RACM in violation of OAC Rule 3745-20-04(A)(1);
- Failed to maintain RACM adequately wet until collected or contained in violation of OAC Rule 3745-20-04(A)(6);
- Failed to repair, encapsulate, or remove RACM prior to the removal of emissions controls in violation of OAC Rule 3745-20-04(C);
- Failed to seal all ACWM while wet in durable leak-tight containers or wrapping in violation of OAC Rule 3745-20-05(B)(1)(c); and
- Failed to properly package all ACWM in sealed plastic bags and label them in violation of OAC Rule 3745-20-05(C).

Facility #3 (546 S. Freedom Avenue, Alliance, Ohio 44601)

42. On December 7, 2016 Howland collected 26 bulk samples as part of the asbestos survey of Facility #3 for the City of Alliance. The report dated December 20, 2016 identified 120 sq. ft. of RACM and 1,074 sq. ft. of Category I nonfriable ACM. The report was revised on February 27, 2017 and Category I nonfriable ACM was changed to 1,179 sq. ft. due to the discovery of additional floor tile identified by Canton APC.
43. On February 8, 2017, NEDO received the original notification of demolition form for Facility #3 and it was forwarded to Canton APCD on February 15, 2017. The amount of RACM to be removed was 120 sq. ft. and an amount of 1,074 sq. ft. of Category I nonfriable ACM was not to be removed. The asbestos removal date was scheduled for February 20, 2017. Demolition was scheduled between February 23, 2017 and March 21, 2017. Respondent was listed as the asbestos abatement contractor.
44. On February 22, 2017, Canton APCD conducted a post abatement inspection of Facility #3 and observed RACM debris in the form of TSI on the ground which was dry, not bagged, or sealed. Canton APCD observed that approximately 100 sq. ft. of TSI was remaining throughout the structure. Canton APCD also collected samples of the TSI to verify that the material contained asbestos. Respondent was informed that the asbestos abatement at Facility #3 was not complete and that demolition could not commence until all RACM was removed. Canton APCD also requested a revised notification form prior to Respondent's return to the site to clean-up the remaining RACM.
45. On February 23, 2017, Canton APCD received a revised demolition notification form to change the asbestos removal date to February 23, 2017.
46. On February 24, 2017, Respondent provided Canton APCD pictures of the site after the ACM has been removed.
47. On March 2, 2017, EA Group analyzed the samples collected on February 22, 2017 and confirmed the presence of asbestos (the analytical report dated March 1, 2017). All three of the samples contained Chrysotile asbestos (40% to 60%).
48. On March 6, 2017, Canton APCD and ODH inspected Facility #3 and observed TSI debris in the basement, and on the first and second floors. Respondent was requested to clean-up the ACM debris identified.
49. On March 7, 2017, Canton APCD and ODH conducted a re-inspection of Facility #3 and confirmed that the RACM debris had been removed.
50. On March 21, 2017, Canton APCD sent a NOV letter to Respondent for the violations discovered during the inspections of Facility #3.

51. As a result of these inspections, the Director has determined that Respondent had:

- Failed to remove all RACM in violation of OAC Rule 3745-20-04(A)(1);
- Failed to maintain RACM adequately wet until collected or contained in violation of OAC Rule 3745-20-04(A)(6);
- Failed to repair, encapsulate, or remove RACM prior to the removal of emissions controls in violation of OAC Rule 3745-20-04(C);
- Failed to seal all ACWM while wet in durable leak-tight containers or wrapping in violation of OAC Rule 3745-20-05(B)(1)(c); and
- Failed to properly package all ACWM in sealed plastic bags and label them in violation of OAC Rule 3745-20-05(C).

Facility #4 (9910 Pierpont Avenue, Cleveland, Ohio 44108)

52. On April 11, 2017 M.A.C. Paran Consulting Services, Inc. ("MAC") collected 22 bulk samples as part of the asbestos survey of Facility #4 for the Cuyahoga County Land Reutilization Corporation. The report identified 12 sq. ft. of RACM, 2,496 sq. ft. of Category II nonfriable ACM, and 2,400 sq. ft. of Category I nonfriable ACM in the facility.

53. On June 15, 2017, CDAQ received the original notification of demolition form for Facility #4. The amount of RACM to be removed was 12 sq. ft. and the amount of Category II nonfriable ACM to be removed was 2,496 sq. ft. An amount of 2,400 sq. ft. of Category I nonfriable ACM was not to be removed. Asbestos removal dates were from June 29, 2017 to July 3, 2017. Demolition was scheduled between July 5, 2017 and September 1, 2017. Respondent was listed as the asbestos abatement contractor.

54. On July 3, 2017, CDAQ conducted an abatement inspection and observed that not all ACM had been removed and the pieces of transite were left scattered around the Facility. Respondent was informed that the asbestos abatement at Facility #4 was not complete and that demolition could not commence until all ACM was properly removed.

55. On July 5, 2017, CDAQ conducted a re-inspection of Facility #4 and observed that the pieces of transite were yet to be cleaned-up. Respondent was requested to clean-up the ACM debris identified.

56. On July 6, 2017, Respondent informed CDAQ that Facility #4 had been cleaned-up and provided pictures of the site after the ACM was removed.

57. On July 19, 2017, CDAQ conducted another inspection and confirmed that the ACM debris had been removed.

58. On August 3, 2017, CDAQ sent a NOV letter to Respondent for the violations discovered during the inspections of Facility #4.

59. As a result of these inspections, the Director has determined that Respondent had:

- Failed to maintain RACM adequately wet until collected or contained in violation of OAC Rule 3745-20-04(A)(6)(a); and
- Failed to seal all ACWM while wet in durable leak-tight containers or wrapping in violation of OAC Rule 3745-20-05(B)(1)(c).

Facility #5 (10216 Pierpont Avenue, Cleveland, Ohio 44108)

60. On April 26, 2017, Foresight Environmental, Health, and Safety Services, LLC ("Foresight") collected 11 bulk samples as part of the asbestos survey of Facility #5 for the Cuyahoga County Land Reutilization Corporation. The report identified 5,601 sq. ft. of RACM, 2,500 sq. ft. of Category II nonfriable ACM, and 1,300 sq. ft. of Category I nonfriable ACM in the Facility.

61. On June 15, 2017, CDAQ received the original notification of demolition form for Facility #5. The amount of RACM to be removed was 5,601 sq. ft. and the amount of Category II nonfriable ACM to be removed was 2,500 sq. ft. An amount of 1,300 sq. ft. of Category I nonfriable ACM was not to be removed. Asbestos removal dates were from June 30, 2017 to July 11, 2017. Demolition was scheduled between July 13, 2017 and September 1, 2017. Respondent was listed as the asbestos abatement contractor.

62. On July 3, 2017, CDAQ conducted an abatement inspection and observed that not all ACM was removed, the dumpster was not lined properly and the material in the dumpster was not adequately wet. The removed plaster was placed dry on the dumpster without it being properly wet, bagged or sealed.

63. On July 6, 2017, Respondent provided CDAQ with pictures to confirm that the issues identified during the inspection at Facility #5 had been addressed by Respondent.

64. On July 6, 2017, CDAQ received a revised demolition notification from Respondent putting the asbestos removal on hold. On July 10, 2017, another revision was received to resume asbestos abatement at the facility from July 10, 2017 to July 11, 2017.

65. On July 19, 2017, CDAQ conducted an inspection and confirmed that all RACM was removed.

66. On July 31, 2017, CDAQ sent a NOV letter to Respondent for the violations discovered during the inspections of Facility #5.

67. As a result of these inspections, the Director has determined that Respondent had:

- Failed to maintain RACM adequately wet until collected or contained in violation of OAC Rule 3745-20-04(A)(6);
- Failed to repair, encapsulate, or remove RACM prior to the removal of emissions controls in violation of OAC Rule 3745-20-04(C);
- Failed to seal all ACWM while wet in durable leak-tight containers or wrapping in violation of OAC Rule 3745-20-05(B)(1)(c);
- Failed to properly package all ACWM in sealed plastic bags and label them in violation of OAC Rule 3745-20-05(C); and
- Failed to properly line the dumpster and maintain the ACWM adequately wet, in violation of OAC Rule 3745-20-05(G);

Facility #6 (3212 East 57th Street, Cleveland, Ohio 44127)

68. On August 7, 2017, 23823 Ltd. collected 16 bulk samples as part of the asbestos survey of Facility #6 for the Cuyahoga County Land Reutilization Corporation. The report identified 10 sq. ft. of RACM, 2,560 sq. ft. of Category II nonfriable ACM, and 1,709 sq. ft. of Category I nonfriable ACM in the Facility.

69. On September 10, 2017, CDAQ received the original notification of demolition form for Facility #6. The amount of RACM to be removed was 10 sq. ft. and the amount of Category II nonfriable ACM to be removed was 2,560 sq. ft. An amount of 1,709 sq. ft. of Category I nonfriable ACM was not to be removed. Asbestos removal dates were from September 21, 2017 to September 25, 2017. Demolition was scheduled between October 18, 2017 and December 15, 2017. Respondent was listed as the asbestos abatement contractor.

70. On September 21, 2017, CDAQ conducted an abatement inspection at Facility #6 and observed poor application of asbestos work practices. The ACM was placed in a dumpster without a lining and most of the ACM in the dumpster was exposed to the ambient air. Moreover, the dumpster was not probably labeled and one of Respondent's workers was collecting broken transite pieces out of the gutter and dropping them to the ground.

71. On September 22, 2017, Respondent provided CDAQ with pictures showing the bagging of the ACM, decontamination of the dumpster, and placing the bags in the lined dumpster.

72. On October 2, 2017, CDAQ sent a NOV letter to Respondent for the violations discovered during the inspections of Facility #6.

73. As a result of these inspections, the Director has determined that Respondent had:

- Failed to carefully lower the ACM collected from the gutter, in violation of OAC Rule 3745-20-04(A)(4)(1)(b);

- wrapping in violation of OAC Rule 3745-20-05(B)(1)(c);
- Failed to properly package all ACWM in sealed plastic bags and label them in violation of OAC Rule 3745-20-05(C); and
- Failed to properly line the dumpster and maintain the ACWM adequately wet, in violation of OAC Rule 3745-20-05(G);

74. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their relation to benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby issues the following Orders:

1. Respondent shall pay the amount of thirty-five thousand dollars (\$35,000) in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3704. The payment of the total amount of thirty-five thousand dollars (\$35,000) shall be made in seven installments of five thousand dollars (\$5,000) each, which shall be paid per the following schedule:

Installment #	Due Date	Amount
1	April 1, 2018	\$5,000
2	July 1, 2018	\$5,000
3	September 1, 2018	\$5,000
4	January 1, 2019	\$5,000
5	April 1, 2019	\$5,000
6	July 1, 2019	\$5,000
7	October 1, 2019	\$5,000

2. The payments shall be made by official checks made payable to "Treasurer, State of Ohio". The official checks shall be submitted to Carol Butler, or her successor, together with a letter identifying the Respondent, to:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

VI. TERMINATION

Respondent's obligations under these Orders shall terminate upon Ohio EPA's receipt of the official checks required by Section V of these Orders.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, operations by Respondent.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, State and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Canton City Health Department
Air Pollution Control Division
420 Market Avenue North
Canton, Ohio 44702-1544
Attention: Terri Dzienis,

City of Cleveland
Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
Cleveland, Ohio 44114
Attn: Valencia White

and to:

Ohio Environmental Protection Agency
Division of Air Pollution Control
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Jim Kavalec, Manager,
Compliance and Enforcement Section

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XIII. EFFECTIVE DATE

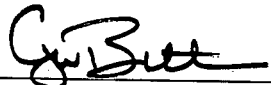
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

ORDERED AND AGREED:

Ohio Environmental Protection Agency



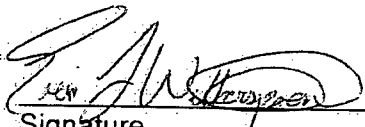
Craig W. Butler
Director

3/14/18

Date

AGREED:

Arick's Environmental Management Services, Inc.



Signature

Date

Eric L. Witherspoon

Printed or Typed Name

President

Title