

ENVIRONMENTAL CONTROL BOARD CITY OF NEW YORK	NOTICE OF VIOLATION AND HEARING	VIOLATION NO. 50035564R
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YOU ARE REQUIRED, AND ARE HEREBY DIRECTED, TO APPEAR FOR A HEARING ON 1/31/2003 at 9:30 AM at the Environmental Control Board, 66 John Street, New York, NY 10038, 10th Floor.

This hearing is your opportunity to answer and defend the allegations set forth below. IF YOU DO NOT APPEAR, YOU WILL BE HELD IN DEFAULT AND SUBJECT TO MAXIMUM PENALTIES. READ THE INSTRUCTIONS ATTACHED.

Commissioner of the Department of Environmental Protection, City of New York, Petitioner, V. **Premise 124 LIBERTY STREET**

Borough MANHATTAN

JVN RESTORATION INC. Respondent
47 FOSTER ROAD Street Address of Respondent
STATEN ISLAND, NY 10309 City, State, Zip Code

Capacity of Respondent: Contractor: ☒ Building Owner ☐ Other: ☐

Upon Investigation, Petitioner has determined that there is reasonable cause to believe that Respondent has violated the following subsections of

Title 24, Chapter 1, New York City Administrative Code
(Air Pollution Control Code)

§ 5: _____

Title 15, Chapter 1, Rules of the City of New York

☐ Section 1-25(c) Failed to file Asbestos Inspection Report (Form ACP-7) with DEP one week in advance of the start of the work.

☐ Section 1-51(a) Employed uncertified workers _____) on an asbestos project.

☒ Section 1-51(c) Failed to provide and/or ensure the wearing of protective clothing (FERNANDO CARDENAS) by all individuals engaged in abatement activities. CERTIFICATE #89821

☐ Section 1-51(g) Failed to post asbestos warning signs.

☐ Section 1-81(c) Failed to shut down electric power to the work area.

☒ Section 1-81(l) Failed to seal fixed objects with at least one layer 6-mil plastic sheeting.

☐ Section 1-81(m) Failed to seal floor and wall surfaces with at least two layers 6-mil plastic sheeting.

☐ Section 1-82(a) Failed to provide a worker decontamination system.

☐ Section 1-83(a) Failed to provide a waste decontamination system.

☐ Section 1-91(a) Failed to utilize negative pressure equipment.

☐ Section 1-92(a) 2 Failed to maintain an entry / exit log.

☐ Section 1-102(a) Failed to abate ACM by wet methods.

☐ Section 1-102(d) Failed to bag ACM directly upon detachment from the substrate.

☐ Section 1-102(f) Failed to remove all visible residue from surfaces from which ACM has been removed.

☐ Section 1-112(f) Failed to verify the absence of visible ACM prior to commencement of clearance air monitoring.

Other:

(1) 1-93(d) Failed to clean the external surfaces of contaminated containers prior to transferring such items.

(2) _____

(3) _____

(4) _____

SECOND OFFENSE (LIST SUBSECTIONS): _____

The above violation occurred or was observed or was determined to exist based on a review of departmental records, on or about
Sunday, September 29, 2002
at: 6:00 PM

 **A020**
Inspector's Signature/Badge Number

If such violation be proven or admitted, Respondent may be subject to civil penalties for each subsection of the violation in amounts according to the schedule set forth on the reverse side of this form for each day during which such violation continues.


50035564R