



Clean Air Act Compliance Inspection Report

United States Environmental Protection Agency
Region 10 – Seattle, WA

Clean Air Act Asbestos NESHAP Compliance Inspection Report

CDG Acquisitions, LLC
Properties Located at
1909 and 2001 West Boise Ave
Boise, Idaho

Inspection Date: November 10, 2021

Pavitt, John

Digitally signed by Pavitt, John
Date: 2022.01.10 14:16:57 -09'00'

Report Author Signature

Date

John Pavitt
Asbestos NESHAP Inspector
EPA Region 10

ALYSON SKEENS

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Date

Alyson Skeens
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EPA Region 10

KATHERINE MCCLINTOCK

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Date

Katie McClintock
ATES Section Chief
EPA Region 10

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1. Facility and Inspection Information

Facility Owner: CDG Acquisitions, LLC
7711 Bonhomme Ave., #350
Saint Louis, Missouri 63105-1958

Abatement Contractor: Intermountain Construction and Abatement
25 E Fairview, #200
Meridian, Idaho 83642
Mike Ross
(208) 288-2505

Other Operator: Ideal Demolition Services, LLC
2473 W. Success Way
Emmett, Idaho 83617
David Aparicio
(208) 365-1514

AFS/FRS Number:¹ 110038905076

NAICS: Property Owner 237210 - Land Subdivision
Abatement Contractor 562910 - Remediation Services
Demo Contractor 238910 - Site Preparation Contractors

U.S. EPA Inspectors: John Pavitt
Air and Toxics Enforcement Section (ATES)
Enforcement and Compliance Assurance Division (ECAD)
U.S. EPA Region 10 (R10)
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State/Local Inspectors: Emanuel Ziolkowski
Air Quality Compliance Assurance Program Supervisor
Idaho Department of Environmental Quality

¹ Ideal Demolition Services.

1410 N Hilton, Boise, ID 83706
(208) 373-0102

Dates of Inspection: 11/9/2021 and 11/10/2021

Date of Report: 1/10/2022

Inspection Start/End Times: 4:15 pm – 4:45 pm (Day 1)
9:15 am – 12:00 pm (Day 2)

Inspection Notice: This inspection was unannounced.

Scheduled dates asbestos removal²: 10/25/2021 – 12/17/2021

Scheduled dates demolition/renovation: 10/25/2021 – 12/17/2021

Were samples collected for this inspection? No

Were any sample results positive for asbestos? N/A

2. Introduction

The purpose of this inspection was to determine compliance with the Clean Air Act (CAA), National Emission Standards for Hazardous Air Pollutants for asbestos (“asbestos NESHAP”) (40 CFR Part 61, Subpart M), which applies to renovation and demolition activities which may disturb asbestos at a “facility” as defined in the asbestos NESHAP.³

The inspection was led by John Pavitt, EPA R10. Also participating for on-the-job training was EPA R10 inspector Alyson Skeens. This inspection looked at the demolition of two adjacent properties with the same owner and same demolition and abatement contractors.

The adjacent facilities are:

1. A former “Maverick” gas station and convenience store located at 1909 West Boise Ave., Boise, Idaho. According to the notification, this property was surveyed for asbestos and none was found.
2. The former “Ridenbaugh Apartments” complex, Buildings A, B, C and D (23 units total) located at 2001 West Boise Ave., Boise, Idaho. According to the notification, this group of buildings was surveyed for asbestos and was found to have a variety of asbestos-containing building materials including:
 - a. Vinyl sheet flooring

² Dates provided in notifications to EPA R10.

³ See 40 CFR §61.141. *Facility* 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.

- b. Tar of the built-up roofing system
- c. Sink undercoating
- d. Troweled-on ceiling texture
- e. Gypsum wallboard

The inspectors confirmed during the on-site inspection that neither of the two demolition projects had started as described in notifications submitted to EAP R10 by Ideal Demolition Services. The notification for both projects stated that demolition would start on 10/25/2021 (16 days prior to the inspection). At the time of the inspection, representatives from Ideal Demolition and general contractor Brinkmann Construction stated that demolition permits had not yet been approved by the City of Boise. However, asbestos abatement work had already started at the Ridenbaugh Apartments complex as described in that notification.

Disclaimer

This report is a summary of observations and information gathered from the facility at the time of the inspection and from records review. The information provided does not constitute a final decision on compliance with CAA regulations or applicable permits, nor is it meant to be a comprehensive summary of all activities and processes conducted at the facility.

3. Compliance History

A review of EPA's Enforcement and Compliance History Online (ECHO) database⁴ shows that demolition contractor Ideal Demolition Services, LLC and asbestos abatement contractor Intermountain Construction have had no formal or informal enforcement actions in the last five years.

Environmental Justice Information

EPA's Environmental Justice Screening and Mapping Tool (EJScreen)⁴ shows the site of the demolition projects in Boise, Idaho are adjacent to an area with an index over the 80th percentile for one or more EJ indices.

4. Records Review

I reviewed the following records for this asbestos NESHAP compliance inspection.

Asbestos Notifications (Attachment 2)

On 10/11/2021 Ideal Demolition submitted original notifications for each of the projects described in this inspection report.

On 11/10/2021 Ideal Demolition sent me an email with revised notices for each of the projects. The following is a brief summary of the notifications.

⁴ See <https://echo.epa.gov/>. For more information on EPA's EJ Screen Indexes, see [EJSCREEN home page](#).

Asbestos NESHAP Inspection, Demolition at 1909 and 2001 W Boise Ave, Boise, ID

Notice Type	Submittal Date	Submitted by	Work Description	Comment
Original Notice of Demolition	10/11/2021	Ideal Demolition	Maverick Gas Station Demolition of facility. Start: 10/25/2021 End: 12/17/2021	As of the date of the inspection, demolition had not yet started. The notice was required to be revised because the start date changed.
Revised Notice	11/10/2021	Ideal Demolition	Maverick Gas Station Demolition of facility. Start: 11/10/2021 End: 12/17/2021	
Original Notice of Demolition	10/11/2021	Ideal Demolition	Ridenbaugh Apartments Abatement + Demolition of facility. Start: 10/25/2021 End: 12/17/2021	As of the date of the inspection, demolition had not yet started. Waste Shipment Records show that abatement started prior to 10/25/21 (see below). The notice was inaccurate regarding the dates that work would start, and was required to be revised.
Revised Notice	11/10/2021	Ideal Demolition	Ridenbaugh Apartments Abatement + Demolition of facility. Start: 11/10/2021 End: 12/17/2021	Revised to change dates of work and to classify roofing tar as friable. The revised notice is still not correct because it states that abatement started on 11/10/2021.

Asbestos Surveys (Attachment 6)

The asbestos NESHAP requires the owner or operator of a demolition or renovation activity to conduct a thorough survey for the presence of asbestos prior to commencing the activity (§61.145(a)).

Records provided from the facility show an asbestos survey was performed in June 2021 by Terracon Consultants, Inc., St. Louis, Missouri. The survey covered both properties described in this inspection report. (Attachment 6). The survey identified the following asbestos-containing materials with more than 1% content:

Location	Sample Description
Ridenbaugh Apartments Buildings A, B, D & D	Vinyl sheet flooring (several different materials and colors)
	Tar of the built-up roofing
	Sink undercoating
	Troweled-on ceiling texture
Maverick Gas Station	Materials were less than 1% asbestos content

The survey results shows that, of the asbestos-containing materials with more than 1% content, they ranged from 1.2% Chrysotile (ceiling texture) to a high of 40% Chrysotile (vinyl flooring backing material). The gypsum wallboard system (drywall) was found to have less than 1% asbestos with composite samples (results of drywall combined with joint compound).

Roofing tar was described as nonfriable. However, as described below I assessed this material during the inspection and found it to be friable. It was brittle and crumbled into pieces with hand pressure.

Asbestos Waste Shipment Records (Attachment 7)

The asbestos NESHAP requires the owner or operator of a project subject to the NESHAP to maintain Waste Shipment Records (WSR) for each load of waste transported from the job site. The WSR form must include details including but not limited to the contents of the load, quantity of waste, the job site where it was generated, contact information for the generator and transporter and the landfill destination. (40 CFR 61.150(d))

The WSR forms provided by Ideal Demolition Services show that abatement contractor Intermountain Construction & Abatement transported 11 loads of asbestos waste from the former apartment building complex at 2001 W Boise Ave to two landfills. Note that two of the waste shipments were started on 10/24/2021 which is earlier than the start date provided in notification to EPA.

Date Transported	Waste Description/Amount		Discrepancies Noted by Landfill?
10/26/2021	Friable Sheet vinyl, texture material.	100 bags 10 cubic yards	None. Simco Regional Landfill Mountain Home, ID

Asbestos NESHAP Inspection, Demolition at 1909 and 2001 W Boise Ave, Boise, ID

10/28/2021	Friable Sheet vinyl, texture material.	10 cubic yards	None. Canyon County Landfill Nampa, ID
10/24/2021 (loaded) 11/1/2021 (delivered)	Friable Sheet vinyl, texture material.	100 bags 10 cubic yards	None. Simco Regional Landfill Mountain Home, ID
10/24/2021 (loaded) 11/3/2021 (delivered)	Friable Sheet vinyl, texture material.	97 bags 10 cubic yards	None. Simco Regional Landfill Mountain Home, ID
11/8/2021	Friable Sheet vinyl, texture material, roofing paper.	81 bags 10 cubic yards	None. Simco Regional Landfill Mountain Home, ID
11/8/2021	Friable Sheet vinyl, texture material, roofing paper.	92 bags 10 cubic yards	None. Simco Regional Landfill Mountain Home, ID
11/10/2021	Friable Sheet vinyl, texture material, roofing paper.	88 bags 10 cubic yards	None. Simco Regional Landfill Mountain Home, ID
11/15/2021	Friable Sheet vinyl, texture material, roofing paper.	10 cubic yards	None. Simco Regional Landfill Mountain Home, ID
11/15/2021	Friable Sheet vinyl, texture material, roofing paper.	10 cubic yards	None. Simco Regional Landfill Mountain Home, ID
11/17/2021	Friable Sheet vinyl, texture material, roofing paper.	90 bags 10 cubic yards	None. Simco Regional Landfill Mountain Home, ID
11/17/2021	Friable roofing paper.	1 bags 10 cubic yards	None. Simco Regional Landfill Mountain Home, ID
	Total	100 cubic yards	

5. Inspection Elements/Order

Pre-Inspection Observations

This was an unannounced inspection. On 11/9/2021 EPA inspectors John Pavitt and Alyson Skeens arrived at the former apartment building and Maverick station (“the facility”) at about 4:15 pm. We were joined by Emanuel Ziolkowski with the Idaho Department of Environmental Quality (IDEQ). It was raining while we were on site.

A chain link fence enclosed both properties. We looked from the sidewalk on West Boise Ave. to see what was going on. We walked along West Boise Ave. The former apartment complex faced West Boise Ave. and we continued walking southeast, to the corner of Protest Road where the former Maverick station was located. According to the notifications submitted by Ideal Demolition, demolition was scheduled to have already started at both of the properties on 10/25/2021 (15 days earlier). The buildings were still standing and no demolition activity was occurring. No workers were visible outdoors at the two properties, although a white pickup truck with a black trailer was parked at the former apartment building complex at 2001 West Boise Ave. We saw indications that some work at the buildings had started.

- Ceramic or concrete roofing tile material was spilled onto on the paved parking lot of the former apartment building complex.
- A door was removed from one of the apartment units, which marked with spray paint as “14.”
- Plastic air ducting was protruding from one apartment window.
- Several white appliances were sitting outside of the apartment units.
- An excavator and a 20-foot roll-off dumpster was parked in front of the former Maverick station.

I called Intermountain Construction & Abatement using the number provided in notices to EPA. I spoke with Mike Rose. I explained I was an asbestos compliance inspector for EPA R10 and was at the job site, located at 1909 and 2001 West Boise Ave. I said the fence was closed and asked if they were working today to remove asbestos or demolish the buildings. Mr. Ross said he thought work was done for the day. He said the demolition has been on hold due to occupants still being in the apartment units. I said I saw roofing tiles on the parking lot and asked if they had asbestos. He said the tiles do not, and they removed those to expose the tar layer for abatement.

I made an appointment to return to the job site the next morning between 9:00 – 9:30 am to inspect the buildings for compliance with EPA’s asbestos NESHAP regulations.

Entry and Opening Conference with Facility Representatives

EPA inspector Skeens and I arrived at the job site at about 9:15 am. Mr. Ziolkowski with IDEQ was not available to join us this day. We parked at the Maverick station and introduced ourselves to the representatives on site who were expecting us.

From Ideal Demolition: Norman Niebuhr, Part Owner
 Nick Tidwell, Operator

From Intermountain Construction: Mike Ross

From Brinkman Construction Cory Hardman
(the General Contractor for this project)

I showed my credentials and explained that we were there for an asbestos compliance inspection. I pulled out the notifications submitted to EPA for the project at the two adjacent properties for reference. I asked the facility representatives to catch us up on what has happened at each properties.

The facility representatives said that the property at 1909 West Boise Ave (the Maverick station) has not been demolished. They have removed an underground storage tank and performed a T-Clip test to assess the site for hazardous waste, they said. They said an electric transformer is on site that is shared with the restaurant next door and they have had to coordinate what happens with that. They said they've mobilized equipment to the site and ensured that all utilities are shut off.

They said the property at 2001 West Boise Ave (the former apartment building complex) has had some asbestos abatement and that is ongoing. Mr. Ross said the gas line is being disconnected today and electricity is already shot off. He gave an update on each building in the complex.

- Building C abatement is complete on the inside and for the roofing.
- Building A abatement is complete on the inside but roofing abatement is still needed.
- Building B is partially complete on the inside.
- Building D is about 2/3 complete on the inside.

Mr. Ross said waste materials are being hauled as the trailer is filled up. He said three or possibly four trailers have been hauled away so far.

I asked which materials are Regulated Asbestos Containing Materials (RACM) at the apartment buildings. RACM is friable asbestos with more than 1% content, as defined in the asbestos NESHAP. Mr. Ross said the RACM they've discovered so far consists of roofing material, ceiling texture and sheet vinyl.

The facility representatives said they had been waiting for a demolition permit and hoped it would come through soon. Part of the delay was that tenants had been living in the apartments until recently.

I asked the facility representatives to let me know if they believed any information I was gathering was Confidential Business Information (CBI). They did not make a CBI claim during the inspection.

Facility Walk-Through

I asked to examine the waste trailer to see the contents and to check the roofing tar material to verify if it was friable. According to the original notification submitted for the apartment complex, the material was classified as nonfriable. Mr. Ross had said this morning that the material was friable.

I climbed the side of the waste trailer and looked over the top and confirmed that waste bags were secure. The material in the trailer was rolled up in a burrito wrap and covered with fabric.

To assess the roofing tar, Tino Silva, the on-site asbestos abatement supervisor for Intermountain Construction climbed a ladder and picked up several pieces of roofing tar at my request and put them into a zip lock baggie. I used my hands to examine the material and was able to easily crack and break the tar into small pieces. The material was brittle and I could hear it snap and crack as I handled it. I could see small pieces in the bottom of the bag which broke apart from larger pieces. I told the facility representatives I agreed this material was friable asbestos.

I asked Mr. Silva how they were removing the roofing tar. He said they were using hand tools such as shovels, hammers and pry bars. I climbed the ladder and saw hand tools on the roof as he described. I said the asbestos NESHAP requires them to use wet methods when removing friable materials. Mr. Silva said they were spraying water and shoveling the waste into bags.

We toured the apartment building complex with Intermountain Construction and Ideal Demolition representatives. We examined all four apartment buildings from the outside, and stepped into apartment units which had already been abated. The abated apartment units had wet, black attic insulation on the floors piled up in piles about 3 feet tall. Mr. Niebuhr with Ideal Demolition had the asbestos survey results in hand and was able to show the test results for black attic insulation was non-detect for asbestos. (Attachment 6)

We saw exterior cement siding on one of the apartment buildings. Mr. Niebuhr showed us the asbestos survey results for cement panels was also was non-detect for asbestos. (Attachment 6)

I entered Building D which was actively being abated. I put on PPE: full face air purifying respirator, Tyvek suit and nitrile gloves and entered the work area with Mr. Silva. I saw several workers spraying water on the ceiling texture and taking down the ceilings. The windows and doors were sealed with plastic and the work space was under negative air with HEPA air filters. The HEPA filter in one room was becoming clogged with black attic insulation, and Mr. Silva said they keep checking the filters and replace them as they become clogged. He opened the HEPA filter and showed me the underlying air filter was only partially clogged with material and the air flow was still strong.

Intermountain Construction was using portable electric generators to operate their water pumps and provide lighting. Workers were spraying ample water onto ceiling texture and flooring as they removed it as well as spraying it into waste bags.

I found one waste bag with a cut through the plastic and I recommended they double-bag it before removing it from the building. Mr. Silva said they would do so.

I exited the building, discarding my used Tyvek suit and respirator cartridges on my way out.

Sampling

I did not collect samples for this inspection. Asbestos sampling results were provided by the facility representatives and are included as Attachment 6 to this report.

Closing Conference

At about 11:50 am we had a closing conference with the Intermountain Construction representatives at the apartment building property, followed immediately with a separate meeting with Ideal Demolition next door at the Maverick property.

Intermountain Construction:

We spoke with Mr. Ross and Mr. Silva before leaving. I said I liked the work practices Intermountain Construction was using in the apartment building I had just stepped out of. They were spraying a fine mist of water on the ceiling and flooring surfaces while removing them and had the work area under negative air. Workers were putting ceiling texture into bags as it came down and were keeping it clean. I said they need to watch the air filters as they are getting clogged with the non-asbestos black attic insulation, so they'll need to frequently replace the initial filter (the filter on the outside surface). I said the door and window seals looked good. I said one or two bags were sliced open (cut with a blade) and need to be sealed or placed into a secondary bag. Mr. Silva said he told his works to tape them closed.

I said that Ideal Demolition needed to revise their notices for both properties.

- The start dates had changed for demolition work.
- The Maverick notice did not need to include a date for abatement work since they found no asbestos to remove.
- The apartment complex roofing material is friable but is incorrectly classified as nonfriable in the notice.

Ideal Demolition:

We then walked next door to the parking lot of the former Maverick station and spoke with Mr. Niebuhr and Mr. Tidwell. I said we had just closed out the inspection with Intermountain Construction and we wanted to give them the same information.

I recommended they revise their notifications for the two properties right away. The dates of work for demolition were wrong and no abatement was being performed at the Maverick site. The apartment complex roofing material is friable and therefore is RACM, but is incorrectly classified as nonfriable in that notice. I asked that Ideal Demolition send me a courtesy copy of the revised notices and then mail them to EPA's Seattle office as usual.

I said the work practices we saw today at the apartment complex looked good, specifically the use of wet methods and the use of critical barriers (the plastic sealing doors and windows and using negative air). I said I had recommended they keep a close watch on air filters and to

change them frequently. The workers were doing a good job of placing the ceiling texture into bags immediately to prevent further breakage.

I asked the facility representatives if they had any questions for the EPA inspectors. Mr. Holman asked whether or not they need to submit notifications for projects at residences (homes). I said notification is not required for those projects. I said he can always call us if he has questions on specific projects. He also asked about flooring material projects. I said a renovation that involves nonfriable flooring material does not require notification to EPA. I said that if they think it's possible that it could become friable, then go ahead and submit a notice just in case because a notice would be required at that time and they would have to wait the normal 10-working-day waiting period.

We left the facility a few minutes after 12:00 noon.