



ENFORCEMENT ORDER

Allegheny County Health Department

Air Quality Program

836 Fulton Street Pittsburgh, PA 15233

Phone: (412) 578-8103

Address of Alleged Violation

5838 Baum Boulevard, Pittsburgh, PA 15206

Name of Alleged Violator #1

C&C Master Cleaning and Restoration

Address of Alleged Violator #1

1108 Rebecca Street, Braddock PA, 15104

Contact Person #1

Cletus Lee

Title

Owner

Phone Number

412-454-6111

Email

Name of Alleged Violator #2

Pittsburgh Institute of Mortuary Science

Address of Alleged Violator #2

5808 Baum Boulevard, Pittsburgh, PA, 15206

Contact Person #2

Barry Lease

Title

Owner

Phone Number

412-362-8500

Email

PART 1: DESCRIPTION OF INSPECTION(S)

On September 24, 2025, the Allegheny County Health Department (ACHD) was contacted by a representative of the Pittsburgh Institute of Mortuary Science (PIMS) regarding a demolition project at 5808 Baum Boulevard, Pittsburgh PA 15206 (5808 Baum). The representative reported that the demolition of a former Key Bank at 5808 Baum was complete and the contractor who had performed the demolition of the bank building and canopy did not obtain permits from the City of Pittsburgh or Allegheny County. The PIMS representative reported they were hired to expedite the required permitted to satisfy ACHD regulations. Google Street view images accessed on August 25, 2025, showed that the former Key Bank was still partially standing in April of 2023 but was fully demolished by September of 2023. The former Key Bank is a commercial structure and is subject to the Asbestos NESHAP and ACHD's Article XXI Air Quality Rules and Regulations.

On September 1, 2025, ACHD requested that PIMS submit the following: 5808 Baum's asbestos survey if it was available, the contractor who performed the demolition and the timeline, any permit or notifications, and the waste manifests for the building materials removed from the site. On October 1, 2025, PIMS reported that the demolition activity was completed by Cletus Lee, the owner of C&C Master Cleaning and Restoration. PIMS provided documentation regarding C&C Master Cleaning and Restoration submitting an incomplete demolition permit application to the City of Pittsburgh in February of 2023. PIMS reported that they contracted with C&C Master Cleaning and Restoration in 2021, and demolition activity began in April 2023 and ended in August 2023.

ACHD attempted to contact C&C Master Cleaning and Restoration but did not receive a response. ACHD informed PIMS that PIMS needed to submit a notification of demolition and permit fee by October 24, 2025, for a commercial structure treated as all asbestos containing material as there was no asbestos survey performed prior to demolition. ACHD informed PIMS that the notice of demolition should be signed by the owner and the contractor. PIMS reported that C&C Master Cleaning and Restoration was not responsive to PIMS' requests.

On October 21, 2025, PIMS reported that C&C Master Cleaning and Restoration was supposed to come to ACHD to submit the required documentation, but something came up, and requested an extension for submittal. ACHD extended the deadline for submittal to October 31, 2025. On October 31, 2025, PIMS submitted a notification of demolition and a permit application. The notification of demolition was missing information and did not contain the owner or contractor's signature. On November 20, 2025, PIMS submitted a revised notification of demolition that included the owner's and contractor's signature, a permit application, and the requisite fee to ACHD.

C&C Master Cleaning and Restoration and PIMS completed a demolition of a commercial structure without performing a thorough asbestos survey prior to the start of demolition activities. C&C Master Cleaning and Restoration and PIMS failed to submit a notification of demolition at least 10 working days prior to the start of demolition activities.

Did the individual/company cooperate with ACHD personnel? If not, explain:

Yes

Inspection Date(s)

Inspector Name(s)

Robert Gorog

PART 2: YOU ARE IN VIOLATION OF THE FOLLOWING REGULATION(s):

1	Regulation Section Article XXI § 2105.62.f.1, Demolition Notice 40 C.F.R. § 61.145(b)	Regulation Requirement No person shall demolish, or allow the demolition, of any facility unless the owner of the facility proposed to be demolished has submitted to the Department, and the Department has received, by no later than 10 days prior to the beginning of the proposed demolition, if there is less than 260 linear feet of pipe with ACM and a total of less than 160 square feet of, or no ACM present in the facility, a written notice that includes, at a minimum, the information detailed in Article XXI § 2105.62.f.1.A-G.
	Description of Violation PIMS and C&C Master Cleaning and Restoration failed to notify ACHD of demolition activity ten days prior to the start of demolition of a commercial structure located at 5808 Baum Boulevard	
	What You Must Do to Correct the Violation Demolition notifications were submitted late to ACHD. No further action is needed. In the future, submit notification of demolition to ACHD 10 days prior to the beginning of the proposed demolition.	
2	Regulation Section Article XXI § 2105.62.b, 40 C.F.R. § 61.145(a) Standards for demolition and renovation	Regulation Requirement To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable ACM.
	Description of Violation PIMS and C&C Master Cleaning and Restoration failed to have a thorough asbestos survey performed prior to the start of demolition activities.	
	What You Must Do to Correct the Violation Demolition is completed. Do not disturb building materials in a commercial structure without performing a thorough asbestos survey.	

PART 3: YOU ARE HEREBY ORDERED AS FOLLOWS:

- ☐ Immediately stop all work and/or cease operations at the following location(s):

- ☐ You are hereby Ordered to correct the violations(s) listed in Part 2 within _____ days of the service of this Enforcement Order.
- ☐ You are hereby Ordered to comply with the following requirements within _____ days of the service of this Enforcement Order:

The Order(s) in this Part is enforceable upon issuance and any appeal shall not act as a stay. The Order(s) shall remain in effect until you are notified in writing by the Department. Please contact the ACHD Air Quality Program at (412) 578-8103 to arrange for a reinspection or to request that the Order(s) be rescinded.

Please be advised that failure to comply with this Order within the times specified herein is a violation of Article XXI giving rise to the remedies provided by Article XXI § 2109.02 including civil penalties of up to \$25,000 per violation per day.

PART 4: CIVIL PENALTY

For the violations listed in Part 2, you are hereby assessed a civil penalty of \$ 11,050.00. The determination of the civil penalty is attached as **Exhibit No. 1** and is incorporated as part of this Enforcement Order.

Please be aware that if the Department did not assess a civil penalty, the Department may issue a subsequent enforcement order in which a civil penalty is assessed.

You shall pay the civil penalty amount within thirty (30) days of receipt of this Order. Payment shall be made by corporate or certified check, or the like, made payable to the "Allegheny County Clean Air Fund", and sent to Air Quality Program Manager, Allegheny County Health Department, 836 Fulton Street, Pittsburgh, PA 15233.

PART 5: REQUEST FOR ADMINISTRATIVE HEARING

Pursuant to Article XI, § 1104.A (“Hearings and Appeals”), and Article XXI § 2109.06.a.5, of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order, a Notice of Appeal shall be filed no later than thirty (30) days after receipt of written notice or issuance of this Order. Such a Notice of Appeal shall be filed in the Office of the Director at 542 Fourth Avenue, Pittsburgh, PA 15219.

This Order is enforceable upon issuance and any appeal of this Order shall not act as a stay unless the Director or Hearing officer of the ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final.

Please be aware that if you wish to appeal this Order and a civil penalty has been assessed under Part 4, you are required within 30 days of receipt of this Order to either forward the penalty amount to the ACHD for placement in an escrow account or post an appeal bond to the ACHD in the amount of the penalty. Failure to forward the money or post the appeal bond at the time of the appeal shall result in a waiver of all legal rights to contest the violation or the amount of the civil penalty unless you allege financial inability to prepay the penalty or to post the appeal bond. If you allege financial inability to prepay or post the bond, then you have the burden to prove it. Please review the specific requirements for prepaying the penalty or posting the appeal bond found in Article XXI § 2109.06.a.2-3.

A copy of Article XXI and Article XI may be found at <https://www.alleghenycounty.us/Health-Department/Health-Department-Regulations.aspx>.



Air Quality Program Manager

7/29/2026

Date

EXHIBIT NO. 1

CIVIL PENALTY DETERMINATION AND CALCULATION

PURPOSE: The primary purpose for assessing civil penalties is to deter future violations not only at the specific facilities that are involved in the enforcement actions taken by the Department, but also at all the facilities within Allegheny County that are subject to the Article XXI regulations. In order to achieve the goal of deterrence, a civil penalty should remove any significant economic benefit resulting from noncompliance and include an amount beyond recovery of the economic benefit to reflect the seriousness of the violation.

CIVIL PENALTY FACTORS: The ACHD has determined the civil penalty to be in accordance with Article XXI, § 2109.06.b, reflecting relevant factors including, but not limited to: the nature, severity and frequency of the alleged violations; the maximum amount of civil and criminal penalties authorized by law; the willfulness of such violations; the impact of such violations on the public and the environment; the actions taken by the violator to minimize such violations and to prevent future violations; and the violator's compliance history.

CIVIL PENALTY FORMULA: The following calculation is used to assess the civil penalty:

$$\text{Civil Penalty} = (\text{Gravity Based Component} \times \text{Adjustment Factor}) + \text{Economic Benefit} + \text{Cost to the Department} + \text{Additional Deterrent Penalty}$$

Gravity Based Component: A gravity based component reflects the potential harm that the violation may have on the public or environment and the severity of the violation.

Adjustment Factor: The gravity based component may be adjusted for factors and circumstances unique to the violator. These adjustment factors include the violators degree of cooperation with the ACHD during the investigation, the compliance history of the violator, the degree of willfulness that violator exhibited with regard to the violation, the size of the violator, and whether the violator is a Title V source or a Synthetic Minor source.

Economic Benefit: This component is a measure of the economic benefit gained by the violator as a result of noncompliance with the regulatory, statutory, or permit requirements.

Cost to the Department: Extra monetary costs for the investigation and preparation of the case, such as source sampling costs and laboratory costs, may be identified and added to the adjusted civil penalty.

Additional Deterrent Penalty: An additional deterrent penalty may be assessed if justified by the circumstances of the case.

CIVIL PENALTY CALCULATION

A. Gravity Based Component

Violation	Gravity Based Penalty	Violation Days	Total Gravity Penalty
Article XXI § 2105.62.f.1, 40 C.F.R. § 61.145(b) Failure to submit notification of demolition	\$4,000.00	1	\$4,000.00
Article XXI § 2105.62.b, 40 C.F.R. § 61.145(a) Failure to perform a thorough asbestos survey prior to the commencement of demolition activities	\$9,000.00	1	\$9,000.00
	\$		\$
	\$		\$
Gravity Component Total			\$13,000.00

B. <u>Adjustment Factors</u>	Factor	Adjustment Amount
Degree of Cooperation: PIMS was responsive, self reported. C&C Master Cleaning and Restoration was not.	0.1	\$1,300.00
Compliance History: No previous actions		\$
Degree of Willfulness: Operators should be aware of requirements		\$
Size of Violator: PIMS 11 to 50 employees	-0.25	\$3,250.00
Title V source or a Synthetic Minor source: Not a permitted source		\$
Adjustment Factors Total		\$1,950.00

C. Other Adjustments

Economic Benefit: Undetermined	\$
Cost to the Department:	\$
Additional Deterrent Penalty:	\$
Other Adjustments Total	\$

TOTAL CIVIL PENALTY	\$11,500.00
----------------------------	--------------------