



REGION 5

CHICAGO, IL 60604

Reports on

**Asbestos-Containing Materials in Schools Inspection to Determine Compliance with Toxics
Substance Control Act and 40 C.F.R. Part 763, Subpart E**

Local Education Agency:

ACCEL Schools Ohio, LLC

1650 Tyson's Boulevard, Suite 630

McLean, Virginia 22102

Schools Inspected:

Youngstown Academy of Excellence

1408 Rigby Street Youngstown, Ohio 44506

Inspection Date: April 2, 2024 & April 3, 2024

EPA File Number: 24TA002

ICIS: 3601647801

TSCA Inspection Report [Inspection No. 20240402_01_TSCA_AHERA_24TA002]

Niles Preparatory Academy

45 South Chestnut Avenue, Niles, Ohio 44446

Inspection Date: April 3, 2024

EPA File Number: 24TA006

ICIS: 3601647805

TSCA Inspection Report [Inspection No. 20240403_01_TSCA_AHERA_24TA006]

STEAM Academy of Warren

261 Elm Road NE, Warren, Ohio 44483

Inspection Date: April 4, 2024

EPA File Number: 24TA007

ICIS: 3601647806

TSCA Inspection Report [Inspection No. 20240404_01_TSCA_AHERA_24TA007]

Performed by:

U.S. Environmental Protection Agency, Region 5

Enforcement and Compliance Assurance Division

Land Enforcement and Compliance Assurance Branch

Pesticides and Toxics Compliance Section

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I. **LOCAL EDUCATION AGENCY AND INSPECTED SCHOOL**

ACCEL Schools Ohio, LLC

Youngstown Academy of Excellence
1408 Rigby Street, Youngstown, Ohio 44506

II. **LOCAL EDUCATION AGENCY INFORMATION**

ACCEL Schools Ohio, LLC (ACCEL) is a public and for-profit Local Education Agency (LEA), kindergarten to 12th grade public Charter School Management Organization (CMO) serving students across the United States in brick-and-mortar, virtual, and hybrid school settings. ACCEL was founded in 2014 and operates 92 schools nationally.

<https://accelschools.com/who-we-are/>

As of the date of review on March 20, 2024, Inspector Todd did not identify AHERA information on the ACCEL website (<https://accelschools.com/our-schools/>). It does not appear that Youngstown Academy of Excellence's website contains AHERA information (<https://youngstownacademy.org/>).

III. **OBJECTIVES**

To investigate ACCEL's level of compliance with the Asbestos-Containing Materials in Schools Rule (40 C.F.R. Part 763, Subpart E) pursuant to the Asbestos Hazard Emergency Response Act (AHERA) and promulgated under the Toxic Substances Control Act (TSCA).

The inspection is a for cause inspection and was initiated in response to the U.S. Environmental Protection Agency (EPA) receiving an AHERA referral from the Ohio Environmental Protection Agency (OH-EPA) regarding ACCEL's Youngstown Academy of Excellence school. ACCEL's Niles Preparatory Academy and STEAM Academy of Warren were selected for targeted AHERA and Lead-Based Paint inspections due to the OH-EPA referral.

IV. **INSPECTION INFORMATION**

Date of Inspection: April 2, 2024

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ACCEL Charter Schools, Youngstown Academy of Excellence
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V. **Pre-Inspection Activities**

- A. On March 11, 2024, the OH-EPA referred an AHERA matter regarding Youngstown Academy of Excellence to EPA (Refer to Attachment YAE-D).
- B. On March 15, 2024, OH-EPA provided EPA a written narrative of the State Inspector's observations when visiting Youngstown Academy of Excellence on March 11, 2024 (Refer to Attachment YAE-D).

VI. **INSPECTION SUMMARY**

A. Initial Entry

- 1. Inspector Todd, Inspector Saldivar and Inspector Brewster (collectively "EPA Representatives") arrived at ACCEL Youngstown Academy of Excellence (YAE) located at 1408 Rigby Street, Youngstown, Ohio 44506 at 9:00 a.m. Eastern Time.
- 2. When EPA Representatives arrived at the school the doors were locked, and the parking lot was empty. Inspector Todd attempted to contact someone in the school by knocking on the back door and ringing the doorbell. The EPA Representatives were unable to contact a school representative.
- 3. Inspector Todd posted an inspection notice letter, AHERA information flyer and Inspector Todd's and Inspector Saldivar's business cards on the back entrance door (Refer to YAE-Attachment B, Sample Nos. B-1 to B-4).

4. Inspector Todd called the YAE phone number and ACCEL facilities phone number to inform YAE of the AHERA Inspections and left a voicemail on each line to request a return call.
5. At approximately 9:33 a.m. (EST), Ms. Latoya arrived at YAE. Inspector Todd greeted Ms. Latoya in the parking lot and introduced himself. Ms. Latoya informed Inspector Todd that she is a janitorial employee of YAE and that the office employees will arrive to the school at 10:00 a.m.
6. Ms. Latoya granted the EPA Representatives access into the school and directed them to wait in the main office until the office manager arrived. Ms. Latoya also called YAE, Vice Principal, Mr. Craig Rodik. Mr. Rodik informed Ms. Latoya that he will be arriving to the school around 10:00 a.m. (EST) and will meet with the EPA Representatives.
7. Ms. Sarah, YAE, Office Manager, arrived at the school and met the EPA Representatives in the main office. The EPA Representatives introduced themselves and Inspector Todd explained the purpose of the AHERA inspection. Ms. Sarah informed the EPA Representatives of an inspection that is scheduled at YAE tomorrow (April 3, 2024). Inspector Todd explained to Ms. Sarah that the EPA inspection is an unannounced inspection and that the inspection scheduled for tomorrow is unrelated to EPA's inspection.
8. Mr. Rodik arrived at the school at 10:03 a.m. (EST) and Inspector Todd introduced himself and explained the reason for EPA's visit and the scope of the inspection.
9. Inspector Todd asked Mr. Rodik if he was able to make executive decisions for ACCEL and able to sign EPA's inspection forms.
10. Mr. Rodik contacted the principal of YAE via telephone to determine if he could make executive decisions for ACCEL and sign the EPA inspection forms.
11. Inspector Todd provided additional details related to the inspection and informed Mr. Rodik the inspection was a for-cause inspection due to a citizen complaint regarding the 3rd floor of the school.
12. Mr. Rodik stated that the 3rd floor of the school is closed off and used for storage. Mr. Rodik escorted the EPA Representatives to his office located adjacent to the main office at 10:09 a.m. (EST).
13. Mr. Rodik informed the EPA Representatives that he is the Assistant Principal for YAE and also clarified to the EPA Representatives that he is able to make

executive decisions and will be able to sign EPA's inspection forms.

14. No students were present at the school building during the inspection due to the scheduled spring break, and only a few school and janitorial employees were present at time of the inspection.

B. Opening Conference

1. The opening conference was held in Mr. Rodik's office at 10:10 a.m. (EST).
2. Inspector Todd, Inspector Saldivar, Inspector Brewster and Mr. Rodik were present for the opening conference.
3. During the opening conference, Inspector Todd requested Inspection Participants record their name, title, and contact information on a sign-in sheet (Refer to YAE-Attachment A.).
4. Inspector Todd and Inspector Saldivar presented their federal credentials to Mr. Rodik at 10:12 a.m. (EST).
5. Inspector Todd explained to Mr. Rodik that EPA's inspection was in response to EPA receiving a tip/referral alleging ACCEL of not managing its asbestos-containing building material (ACBM), and that EPA's objective is to determine ACCEL's compliance with the AHERA requirements.
6. Inspector Todd presented Mr. Rodik with the "TSCA Notice of Inspection" form and explained the purpose of the form.
7. Mr. Rodik reviewed, signed and dated the "TSCA Notice of Inspection" form (Refer to YAE-Attachment A.).
8. Inspector Todd presented Mr. Rodik with the "Notice Regarding Proprietary/Confidential Business Information (CBI)" form (Refer to YAE Attachment A.) and a handout entitled "CDX Quick Reference Guide" and explained the process of claiming confidential business information (CBI) under the TSCA. Inspector Todd explained the LEA's right to claim any information collected by the EPA Representatives during the inspection as TSCA CBI and use of the CDX system for submitting CBI electronically. Inspector Todd also explained Personal Identifiable Information (PII), CBI and TSCA CBI.
9. Inspector Todd explained to Mr. Rodik that EPA uses its discretion on protecting information from being disclosed to the public under the Freedom of Information Act (FOIA) and TSCA. Inspector Todd further explained that the information may be exempt from public disclosure if the information is related

to PII, trade secrets, CBI, and TSCA CBI.

10. Mr. Rodik reviewed and included his name and title on the "Proprietary/Confidentiality Notice for TSCA Inspections" form (Refer to YAE-Attachment A.). Inspector Todd informed Mr. Rodik that the "Proprietary/Confidentiality Notice for TSCA Inspections" form will be presented during the closing conference to claim information as CBI and for his signature.
11. Mr. Rodik stated that he is perplexed on who submitted a complaint regarding the 3rd floor. Mr. Rodik also asked the EPA Representatives when will EPA's report be sent to the LEA.
12. Inspector Todd informed Mr. Rodik that the inspection report will be sent to the LEA within 70 days of the inspection.
13. Inspector Todd informed Mr. Rodik that all forms and records can be copied and provided to Mr. Rodik at the closing conference.
14. Inspector Todd asked Mr. Rodik if he is aware of AHERA and YAE's Asbestos Management Plan (AMP).
15. Mr. Rodik informed the EPA Representatives that he is unaware of an AMP for YAE.
16. Mr. Rodik telephoned Ms. Heather Knapp, YAE, Head of School, to request information on the AMP.

C. Inspection Interview

1. The inspection interview was held in Mr. Rodik's office at 10:20 a.m. (EST).
2. Inspector Todd, Inspector Saldivar, Inspector Brewster and Mr. Rodik, were present for the inspection interview.
3. The EPA Representatives asked Mr. Rodik the following questions regarding the LEA's background, responsibilities, and asbestos management plans:
 - a) Inspector Todd asked Mr. Rodik to identify if the YAE is public and non-profit, or private and for-profit.
 - b) Mr. Rodik stated that the YAE is public and non-profit charter school and ACCEL is public and for-profit charter school network.
 - c) Inspector Todd asked Mr. Rodik how many students are enrolled at

YAE.

- d) Mr. Rodik stated that approximately 238 students are enrolled at YAE.
- e) Inspector Todd asked Mr. Rodik what grade levels are enrolled at YAE.
- f) Mr. Rodik stated that YAE enrolls Kindergarten to 8th Grade.
- g) Inspector Todd asked Mr. Rodik if YAE enrolls pre-kindergarten (Pre-K).
- h) Mr. Rodik stated that YAE does not have a Pre-K program.
- i) Inspector Todd asked Mr. Rodik if YAE has an asbestos consultant.
- j) Mr. Rodik stated that he is not aware of an asbestos consultant for ACCEL or YAE.
- k) Inspector Todd asked Mr. Rodik if YAE or ACCEL has designated a person to oversee all the asbestos activities and AMP.
- l) Mr. Rodik stated that he is not aware of anyone at YAE or ACCEL with that title. Mr. Rodik also stated that Mr. Williamson, ACCEL Facilities Coordinator, may know of the designated person for YAE.
- m) Inspector Todd asked Mr. Rodik how the LEA or YAE distributes the annual notification notifying parents, teachers, employee organizations, and relevant organizations of the availability of the asbestos management plans.
- n) Mr. Rodik stated he is unsure if the LEA or YAE distributes the annual notification.
- o) Inspector Todd asked Mr. Rodik if the YAE's custodial staff have received the necessary asbestos awareness training under AHERA.
- p) Mr. Rodik stated that he is unaware if training has been provided to the Crystal Clear custodial staff since the custodial staff are contracted by ACCEL.
- q) Inspector Todd asked Mr. Rodik to explain Crystal Clear's activities at YAE.
- r) Mr. Rodik stated that Crystal Clear does custodial activities at YAE and all tickets for requested repairs/cleaning are sent electronically and

managed by the ACCEL facility coordinator.

- s) Inspector Todd asked Mr. Rodik if YAE is currently undergoing any renovation or aware of any planned renovations at YAE.
- t) Mr. Rodik stated that he is not aware of any renovation activities at YAE.
- u) Inspector Todd asked Mr. Rodik when ACCEL acquired YAE.
- v) Mr. Rodik stated that ACCEL acquired YAE in September of 2022 and that the prior name of the school was Roosevelt School. Mr. Rodik also stated that YAE occupies only one school building.

- 4. Inspector Todd thanked Mr. Rodik for his cooperation during the interview portion of the inspection.
- 5. Inspector Todd explained the next planned components of the inspection with Mr. Rodik and explained that the EPA Representatives would also like to set up inspections at ACCEL's Niles Preparatory Academy (NPA) and STEAM Academy of Warren (SAW) this week.
- 6. Mr. Rodik stated that Mr. Williamson would be the best contact to arrange the inspections at the other schools.

D. Asbestos Management Plan Review

- 1. YAE did not have records regarding asbestos management activities available during the inspection.
- 2. ACCEL did not have records regarding asbestos management activities for YAE available during the inspection.
- 3. The EPA Representatives did not review any records regarding asbestos management activities during the inspection because they were not available upon request.
- 4. All building suspect Asbestos Containing Building Material (ACBM) materials and components at the school building observed by the EPA Representatives during the inspection have a potential to contain asbestos. There were no records available during the inspection for the EPA Representatives to verify if the components contain asbestos or were identified to not meet the regulatory requirements.

5. All painted surfaces and painted components at the school building observed by the EPA Representatives during the inspection have a potential to contain lead-based paint due to the school being built prior to 1978. There were no records available during the inspection for the EPA Representatives to verify if the painted surfaces or painted components contain lead-based paint.
6. The EPA Representatives and Mr. Rodik exited the office and started the walkthrough of YAE at 10:44 a.m. (EST).

E. Youngstown Academy of Excellence School Walkthrough

1. The school building consists of four levels: Basement, First Floor, Second Floor, and Third Floor. The basement contains the water meter room, electrical panel room, gymnasium/cafeteria, and boiler room. The first floor contains YAE's main office, kindergarten classrooms, first grade classrooms, and second grade classrooms. The second floor contains the third grade to eighth grade classrooms and teachers' lounge. The EPA Representatives were informed by Mr. Rodik that the third floor is not used for school activities and that it contains inactive classrooms used to store school supplies and materials (Refer to YAE-Attachment B, Inspection Photos and Inspection Photo Log).

First Floor:

2. The EPA Representatives and Mr. Rodik started the walkthrough on the first floor of the school. The EPA Representatives observed suspect ACBM 9"x9" floor tile and suspect ACBM ceiling tile located in the first-floor hallway (Refer to YAE-Attachment B-5).
3. The EPA Representatives observed 2'x4' white ceiling tile in the first-floor kindergarten classroom and 12"x12" tan/beige floor tile (Refer to YAE-Attachment B-6).
4. The EPA Representatives observed suspect friable ACBM damaged and missing ceiling tiles located in the first-floor hallway outside of the kindergarten classroom (Refer to YAE-Attachment B-7).
5. The EPA Representatives observed an emergency floor plan located in the 1st Grade classroom (Refer to YAE-Attachment B-8).
6. The EPA Representatives observed additional suspect ACBM 9"x9" floor tile and suspect ACBM ceiling tile located in the first-floor hallway (Refer to YAE-Attachment B-9).
7. The EPA Representatives observed significant peeling and chipping suspect lead-based paint on the walls of the custodial closet near the 1st grade classrooms

(Refer to YAE-Attachment B-10 and B-12).

8. The EPA Representatives inspected the first floor second grade classroom and observed significant suspect peeling and chipping lead-based paint located along top of the windows (Refer to YAE Attachment B-13 and B-14).

Second Floor:

9. The EPA Representatives took the stairwell and inspected the second floor third grade classroom, Room 206, and observed a damaged suspect friable ACBM ceiling tile (Refer to YAE Attachment B-15).
10. The EPA Representatives inspected the second-floor teachers' lounge and observed suspect ACBM Thermal System Insulation (TSI) that had evidence of Operation and Maintenance (O&M) activities. The EPA Representatives observed tan patching materials wrapped around the TSI from what appears to be recent O&M activities. The EPA Representatives also observed peeling and chipping suspect lead-based paint located in the teachers' lounge (Refer to YAE-Attachment B-16).
11. The EPA Representatives observed ACBM Pipe TSI with a black and yellow warning labels stating, "Caution Asbestos Hazards Do Not Disturb Without Proper Training and Equipment". The pipe TSI had damage from pen marks (Refer to YAE-Attachment B-17 and B-18).
12. Mr. Rodik informed the EPA Representatives that the fourth-grade class lines up in the hallway along the wall and that would be the cause of the pen marks. Mr. Rodik also stated that a solution could be for the children to line up on the opposite side of the hallway to ensure the pipe TSI is not disturbed (Refer to YAE-Attachment B-19).
13. The EPA Representatives and Mr. Rodik walked into the 4th grade classroom. The EPA Representatives observed a closet wall cavity and took photos within the wall cavity to document any suspect ACBM. The photos were inconclusive for suspect ACBM due to photo exposure and inaccessibility issues to capture the wall cavity properly (Refer to YAE-Attachment B-20 to B-25).
14. The EPA Representatives and Mr. Rodik entered into the 5th Grade classroom, Room 209. The EPA Representatives observed peeling and chipping suspect lead-based paint and suspect ACBM Pipe TSI located in the classroom (Refer to YAE-Attachment-B-26 to B-27). The EPA Representatives also observed TSI with O&M repair activities in multiple locations on the suspect ACBM pipe TSI. The TSI O&M repairs activities were identified by the tan TSI wrapping material observed in at least five sections of the TSI piping within the classroom (Refer to YAE-Attachment B-28).

15. The EPA Representatives and Mr. Rodik walked to the staff washroom located outside of Room 209. The EPA Representatives observed a 'Danger Keep Out No Admittance' sign posted on the hallway door. The EPA Representatives observed suspect ACBM pipe elbow TSI located on the radiator supply lines and possible fiberglass TSI located along the horizontal piping near the ceiling. The TSI located along the ceiling of the staff washroom does not appear to be original to the school building and may have been installed recently. The TSI was also soft to the touch and resembling fiberglass TSI (Refer to YAE-Attachment B-29 to B-31).

Basement (Lower Level):

16. The EPA Representatives and Mr. Rodik walked down the stairwell to the basement level and entered the water meter room. The EPA Representatives observed a vacuum with the contact information for Crystal Clear Janitorial Services and significant peeling/chipping suspect lead-based paint and significantly damaged suspect ACBM pipe TSI (Refer to YAE-Attachment B-32 to B-35).
17. The EPA Representatives and Mr. Rodik walked further down the basement hallway and entered into the electrical panel room. The EPA Representatives observed significantly damaged suspect ACM floor tile and black mastic of the entranceway to the electrical panel room and significantly peeling and chipping suspect lead-based paint within the electrical panel room (Refer to YAE Attachment B-36 to B-37).
18. The EPA Representatives and Mr. Rodik walked to the gymnasium. The EPA Representatives observed the gymnasium with large sections of puddling water throughout the gymnasium due to water intrusion from the recent heavy rain event. The EPA Representatives also observed suspect ACBM pipe TSI associated with the radiator system along the walls and significantly water damaged suspect ACBM ceiling tile above the stage (Refer to YAE Attachment B-38 to B-41).
19. The EPA Representatives exited the gymnasium from the opposite side of the hallway and classrooms and entered into the boiler room. The boiler room door had a sign posted stating, 'Boiler Room – Danger'. Water seepage was observed on the floor of the boiler room near a roof drain line close to the entryway of the boiler room and the drain line had suspect damaged ACBM pipe TSI with evidence of recent O&M activities. The TSI had blue duct tape wrapped around the horizontal section of the pipe near the suspect ACBM TSI damaged elbow (Refer to YAE-Attachment B-43 to B-44).
20. The EPA Representatives walked into the second room from the entrance of the boiler room and observed one ACM pipe TSI horizontal line with a yellow and

black label with the statement, 'Asbestos Hazard Do Not Disturb Without Proper Training and Equipment' and four horizontal lines with TSI (Without Labels) (Refer to YAE Attachment B-45 to B-46).

21. The EPA Representatives walked to the next adjacent room in the boiler room and observed the five horizontal pipelines within the room along the same wall. The top two larger pipes had red and black labels noting, 'Danger - Contains Asbestos Fibers Avoid Creating Dust – Cancer and Lung Disease Hazard – Avoid Breathing Airborne Asbestos Fibers' and the bottom three horizontal pipelines had blue labels with white lettering noting, 'Asbestos Free' (Refer to YAE Attachment B-47 and B-48).
22. The EPA Representatives took the boiler room stairs to the second level of the boiler room and observed what appeared to be newer boiler systems and piping with different coloring on the TSI jackets (Refer to YAE Attachment B-49).

Third Floor:

23. The EPA Representatives and Mr. Rodik took the nearby stairwell to the third floor. The third floor was accessible to the EPA Representatives via an unlocked stairwell door. Mr. Rodik stated earlier in the inspection that the third floor is closed off and used for storage (Refer to Section VI.A.12).
24. The EPA Representatives and Mr. Rodik entered Room 300, and observed a chalkboard laying on a set of chairs that appeared to have been affixed to the wall with suspect ACBM black mastic. School materials, such as, books and classroom supplies were stored on the backside of the chalkboard. Visible suspect ACBM black mastic was adhered to the backside of the chalkboard and in direct contact with the school materials being stored on top of the chalkboard (Refer to YAE Attachment-B-50).
25. The EPA Representatives walked into Room 300's storage closet and observed significantly damaged suspect friable ACBM ceiling tiles. A large section of suspect ACBM ceiling tile was missing from the ceiling and a horizontal pipe was observed at the ceiling level with damaged suspect friable ACBM TSI (Refer to YAE Attachment B-51 to B-52).
26. The EPA Representatives left Room 300 and entered into Room 301. The EPA Representatives observed school materials and classroom supplies being stored on the floor and radiator ledge. The EPA Representatives observed damaged suspect ACBM ceiling tiles with panels (with what appeared to be drywall or plaster board) adhered to the ceiling tile by screws into the suspect ACBM ceiling tiles (Refer to YAE Attachment B-53).
27. The EPA Representatives and Mr. Rodik exited Room 301 and walked to the

nearby 3rd floor washroom. The EPA Representatives observed significantly damaged friable ceiling tile panels laying on the ground and placed along the wall (Refer to YAE Attachment B-54).

28. The EPA Representatives and Mr. Rodik exited the washroom and entered into Room 302. The EPA Representatives observed damaged suspect ACBM ceiling tiles with panel boards used for repairs. The EPA Representatives also observed significant suspect ACBM ceiling tile debris and visible dust on the radiator ledge where schoolbooks were being stored. Room 302 also contained suspect ACBM 9"x9" tan floor tile (Refer to YAE Attachment B-55 to B-57).
29. The EPA Representatives and Mr. Rodik exited Room 302 and entered Room 303 and observed damaged suspect ACBM ceiling tiles with panels installed as a O&M repair as well as suspect ACBM 9"x9" tan floor tile. The EPA Representatives also observed suspect friable ACBM ceiling tile debris and evidence of insects and rodent remnants and a bird nest with dead insects and bird carcasses along the floor and ledge of the chalkboard and radiator (Refer to YAE Attachment B-58 to B-60).
30. The EPA Representatives and Mr. Rodik exited Room 303 and entered into Room 306. The EPA Representatives observed significantly damaged and peeling/chipping suspect lead-based paint located along the ceiling (white paint) and walls (yellow paint). Suspect lead-based paint chips and debris was observed on the radiator ledge where the radiator blower fan is located causing a potential airborne hazard (Refer to YAE Attachment B-61).
31. The EPA Representatives and Mr. Rodik exited Room 306 and walked into the hallway. The EPA Representatives observed large sections of significantly damaged suspect ACBM wall and ceiling plaster and suspect lead-based paint peeling/chipping paint from the walls (yellow paint) and ceiling (white paint). A large quantity of suspect ACBM plaster and suspect lead-based paint was displaced on the floor within the hallway with visible dust was documented. A large quantity of suspect ACBM plaster and suspect lead-based paint debris and visible dust was deposited on the floor in the hallway and washroom. The third floor hallway brick section of the wall had graffiti in red paint indicating YAE students may have access to the third floor. A red spray paint can was located by the EPA Representatives in a nearby third floor classroom (Refer to Attachment B-62 to 65).
32. The YAE walkthrough ended at 12:09 p.m. (EST) and Mr. Rodik and the EPA Representatives returned to the first-floor main office.
33. Mr. Rodik was present with the EPA Representatives during the walkthrough of all floors of the YAE inspection and the EPA Representatives relayed their

observations and concerns to Mr. Rodik while documenting their observations and concerns during the walkthrough.

F. Closing Conference

1. The closing conference was held in Mr. Rodik's office at YAE at 12:11 p.m. (EST) with Mr. Rodik and the EPA Representatives.
2. Inspector Todd requested Mr. Rodik to reach out to Heather Knapp (YAE Principal) to obtain information regarding ACCEL's consultant inspection scheduled for tomorrow (4/3/2024) at YAE and requested assistance with scheduling the EPA AHERA inspections at Niles Preparatory Academy on April 3, 2024 and STEAM Academy of Warren on April 4, 2024.
3. Mr. Rodik stated that the best contact for scheduling of inspections would be Mr. Bill Williamson and Mr. Douglas with ACCEL Facilities. Mr. Rodik also stated that the next available YAE contact to be at the school tomorrow is Ms. Martiz at 10:00 a.m. (EST) (4/3/2024).
4. Inspector Todd requested Mr. Rodik contact Mr. Williamson to assist the EPA Representatives in setting up a time to meet with Mr. Williamson or another ACCEL Facilities representative at the school tomorrow (4/3/2024).
5. Mr. Rodik stated that Niles Preparatory Academy is a newer building and in a better condition and STEAM Academy of Warren is an older building in a similar condition as YAE. Mr. Rodik also stated that Niles Preparatory Academy has been operating as an ACCEL school for two years.
6. Mr. Rodik text messaged Ms. Knapp to seek approval to contact Mr. Williamson.
7. Inspector Todd completed the "TSCA Receipt for Samples and Documents" form and presented the form to Mr. Rodik.
8. Mr. Rodik reviewed, signed, and dated the "TSCA Receipt for Samples Documents" form (Refer to YAE Attachment A.).
9. Inspector Todd asked Mr. Rodik if he would like to review the inspection photos (Refer to YAE Attachment B) taken during the inspection. Mr. Rodik declined to review the inspection photos.
10. Mr. Rodik informed the EPA Representatives that he received approval from Ms. Knapp to contact Mr. Williamson. Mr. Rodik telephoned Mr. Williamson and left a voicemail requesting a return call regarding the EPA AHERA

inspections.

11. Inspector Todd completed the “Notice Regarding Proprietary/Confidential Business Information (CBI)” form and requested Mr. Rodik to inform the EPA Representatives if ACCEL or YAE is claiming any information or records collected during the inspection as TSCA CBI or CBI. Mr. Rodik stated that the LEA is not claiming the information as CBI. Inspector Todd drew an ‘X’ in section B of the form with permanent ink and explained to the Mr. Rodik that signing this form would mean that EPA did not collect any information identified as TSCA CBI during the inspection.
12. Mr. Rodik reviewed, signed, and dated the “Notice Regarding Proprietary/Confidential Business Information (CBI)” form (Refer to YAE Attachment A.).
13. Inspector Todd informed Mr. Rodik that he is welcome to make copies of the inspection forms (Refer to YAE Attachment A). Mr. Rodik agreed and made copies of the inspection forms and returned the original forms to Inspector Todd.
14. Inspector Todd provided Mr. Rodik with a compliance package that contained the following EPA publications: [EPA Asbestos and Small Business Ombudsman flyer](#), [EPA’s Sensible Steps to Healthier School Environments](#), [Small Entity Compliance Guidance to Renovate Right](#); [U.S. EPA Small Business Resources Information Sheet](#); and Inspector Todd’s business card. Inspector Todd reviewed each of the compliance package publications with Mr. Rodik and explained the resources within the publications that ACCEL and/or YAE may find beneficial in addressing the AHERA and lead-based paint observation and concerns. Inspector Todd specifically referenced [EPA’s Sensible Steps to Healthier School Environments](#) and [Small Entity Compliance Guidance to Renovate Right](#) as resources ACCEL and YAE may find useful following the inspection.
15. Inspector Todd thanked Mr. Rodik for his time and cooperation during the inspection and informed him to please contact him via email or telephone regarding the scheduling of the inspections for Wednesday (4/3/2024) and Thursday (4/4/2024).
16. The EPA Representatives left YAE at 12:35 p.m. EST.

VII. LOCAL EDUCATION AGENCY AND INSPECTED SCHOOL

ACCEL Schools Ohio, LLC

Youngstown Academy of Excellence
1408 Rigby Street, Youngstown, Ohio 44506

VIII. INSPECTION INFORMATION

Date of Inspection: April 3, 2024

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Telephone: [REDACTED]

IX. April 3, 2024 - Pre-Inspection Activities

- A. On April 3, 2024, at 6:45 a.m. (EST) Inspector Todd received a phone call from Mr. Roy Berlocker (ACCEL Facilities Director) who left a voicemail for Inspector Todd to return his call. Inspector Todd was unable to answer the phone and returned Mr. Berlocker's telephone call at 7:17 a.m. (EST).
- B. Inspector Todd spoke with Mr. Berlocker via a telephone call and Inspector Todd informed Mr. Berlocker that he is an EPA Inspector and will be conducting AHERA and lead-based paint inspections at YAE, Niles Preparatory Academy (NPA) and STEAM Academy of Warren (SAW) this week. Mr. Berlocker had some questions regarding the AHERA and lead-based paint inspections. Inspector Todd provided the scope of the inspection and the reasoning for the for-cause inspections.
- C. Inspector Todd requested a representative of ACCEL to be present at the YAE today (4/3/2024) between 9:00 a.m. to 10:00 a.m. EST to assist with the AHERA and lead-based inspections at YEA. Inspector Todd also requested the assistance of an ACCEL Representative for the inspections at NPA and SAW.
- D. Mr. Berlocker informed Inspector Todd he will contact Mr. Bill Williamson (ACCEL Regional Facility Manager) to set up a time to meet at YEA. Inspector Todd thanked Mr. Berlocker for his call.
- E. Mr. Berlocker contacted Inspector Todd at 8:27 a.m. (EST) and provided Mr. Bill Williamson's contact information and informed Inspector Todd that Mr. Williamson will be contacting him. Inspector Todd thanked Mr. Berlocker for his assistance.
- F. Inspector Todd received a telephone call from Mr. Williamson at 8:37 a.m. (EST) and informed him that he is traveling to the YAE school now and can meet with the EPA Representatives at 10:00 a.m. (EST). Inspector Todd agreed to meet with him at YAE at 10:00 a.m. and thanked him for his telephone call and assistance.

X. Initial Entry

- 1. Inspector Todd, Inspector Saldivar and Inspector Brewster (collectively "EPA Representatives") arrived at YAE located at 1408 Rigby Street, Youngstown, Ohio 44506 at 9:50 a.m. (EST).
- 2. The EPA Representatives arrived at the school and were greeted by Mr. Williamson at the rear entrance. Mr. Williamson escorted EPA Representatives to the front office.
- 3. Inspector Todd requested to discuss the inspection plan and scope of the remaining

AHERA and lead-based paint inspections.

4. Inspector Todd also requested Mr. Williamson to sign the inspection sign-in sheet (Refer to YAE-Attachment A.).
5. Inspector Todd and Inspector Saldivar presented their federal credentials to Mr. Williamson.
6. Inspector Todd reviewed the April 2, 2024 Inspection Forms (Refer to YAE-Attachment A.) with Mr. Williamson.
7. Inspector Todd asked Mr. Williamson if he would like to review the April 2, 2024 YAE inspection photos and address any questions from the inspection that occurred yesterday.
8. Mr. Williamson agreed to review the April 2, 2024, inspection photos (Refer to YAE Attachment B) and reviewed the inspection photos using the camera photo viewer screen.
9. Inspector Todd informed Mr. Williamson to inform the EPA Representatives if he had any questions regarding the photos or would like clarification on the location of the photos.
10. Inspector Todd provided a summary of the April 2, 2024 YAE inspection that occurred while Mr. Williamson reviewed the photos. Inspector Todd also explained the post inspection activities, such as, EPA will send ACCEL the final inspection report within 70 days following the inspections.
11. Mr. Williamson requested the inspection reports be sent to Mr. Roy Berlocker and himself via email.
12. Inspector Todd informed Mr. Williamson that the EPA Representatives would like to conduct an AHERA and lead-based paint inspection at NPA today following the inspection activities at YAE. Mr. Williamson agreed to meet with the EPA Representatives at NPA school today.

XI. Inspection Interview

- A. The inspection interview was held in Mr. Rodik's office.
- B. Inspector Todd, Inspector Saldivar, Inspector Brewster and Mr. Williamson, were present for the inspection interview.
- C. The EPA Representatives asked the following questions to Mr. Williamson regarding

the LEA's background, responsibilities, and asbestos management plans:

1. Inspector Todd asked Mr. Williamson if YAE or ACCEL has designated a person to oversee all the asbestos activities and AMP at YAE.
2. Mr. Williamson asked for clarification on the title and role of the designated person. Inspector Todd provided an explanation of the designated person role to Mr. Williamson. Mr. Williamson stated that he is not aware of anyone at YAE or ACCEL as a designated person.
3. Inspector Todd asked Mr. Williamson if YAE, NPA and SAW have AMPs. Mr. Williamson informed the EPA Representatives to speak to Mr. Berlocker for that information. Inspector Todd informed Mr. Williamson that a post inspection follow-up email would be sent to him requesting this information following the inspection and Mr. Berlocker will be included on the email.
4. Mr. Williamson stated that he manages the facilities at SAW, YAE, NPA, Akron, Ohio ACCEL Schools and the ACCEL Canton, Ohio schools.
5. Inspector Todd asked Mr. Williamson how ACCEL or YAE distributes the annual notification notifying parents, teachers, employee organizations, and relevant organizations of the availability of the asbestos management plans.
6. Mr. Williamson stated he is unsure if ACCEL or YAE distributes the annual notification. Inspector Todd explained the AHERA annual notification requirements to Mr. Williamson.
7. Inspector Todd asked if YAE, NPA and SAW have had any recent renovation or demolition activities or submitted any renovation or abatement notices to the state or local municipality.
8. Mr. Williamson stated that ACCEL project managers handle the operations, and his position covers the work order activities. Mr. Williamson also stated that he is not aware of a renovation or demolition notifications for the YAE, NPA or SAW.
9. Inspector Todd asked Mr. Williamson if the YAE's custodial staff have received the necessary asbestos awareness training under AHERA.
10. Mr. Williamson stated that he is unaware if training has been provided to the custodial staff who work for a third party called Crystal Clear. Mr. Williamson stated that he along with other ACCEL staff have taken asbestos training.
11. Mr. Williamson stated that Cystal Clear handles all custodial work for the

thirteen ACCEL schools that he oversees. Mr. Williamson also stated that he does not know if Crystal Clear performs custodial work for all ACCEL schools located in Ohio.

12. Inspector Todd asked Mr. Williamson if YAE or ACCEL have a short-term worker asbestos notification process to inform workers of the asbestos locations at the school. Mr. Williamson stated he is unaware of a short-term workers notification process.
13. Inspector Todd asked if any YAE AMP documents or records are available for review by the EPA Representatives.
14. Mr. Williamson stated that he is unaware of any AMP information or records.
15. Mr. Williamson completed his review of the inspection photos and asked for clarification on the location of some of the photos depicting chipping/peeling suspect lead-based paint. Inspector Brewster informed Mr. Williamson that the photos were taken in the 2nd grade classrooms and on the 3rd floor. The EPA Representatives informed Mr. Williamson that the 2nd grade classrooms and third floor had significantly damaged, peeling and chipping suspect lead-based paint.
16. Mr. Williamson asked the EPA Representatives if EPA will be providing recommendations on how to address the areas of concern depicted in the photos.
17. Inspector Todd stated that no compliance determinations are made at the time of the inspection, and that EPA recommends ACCEL to contract with a licensed and certified environmental consultant specializing in AHERA, asbestos and lead-based paint.
18. Inspector Todd asked if ACCEL's consultant is at YEA. Mr. Williamson informed the EPA Representatives that Alexander Rider, ACCEL's environmental consultant is at YAE but he is unclear what company he works for.
19. The EPA Representatives and Mr. Williamson walked to Room 100 where Mr. Alexander Rider and Mr. Josh Hunt were working. Inspector Todd introduced himself to Mr. Rider and Mr. Hunt and asked them what company they are with and what type of inspection they are conducting at YAE.
20. Mr. Rider informed the EPA Representatives that he and Mr. Hunt work for North American Environmental Services (NAES) as Project Managers and provided the EPA Representatives with their contact information.

21. Mr. Rider stated that NAES was contracted by ACCEL to conduct an AHERA inspection at YAE.
22. Inspector Todd asked Mr. Rider and Mr. Hunt if they plan on taking air samples at YAE during the inspection. Mr. Rider stated that air samples are not currently planned but may be recommended depending on their findings.
23. Inspector Todd asked to be presented with Mr. Rider's and Mr. Hunt's State of Ohio Inspection Certifications. Mr. Rider presented his State of Ohio EPA Asbestos Hazard Abatement Specialist certification card (Certification No. AS543631). Mr. Rider also presented his State of Ohio Department of Health Lead Program, Lead Risk Assessor certification card (Certification No. LA9694). Inspector Brewster took photographs of the two certification cards (Refer to YAE-Attachment B-66 and B-67).
24. Inspector Todd thanked Mr. Rider and Mr. Hunt for their time and information. The EPA Representatives and Mr. Williamson exited classroom 100 and agreed to meet at NPA to conduct the AHERA and lead-based inspection at NPA.

XII. **Post Inspection (4/2/2024 and 4/3/2024)**

- A. On April 5, 2024, following the inspection at YAE (4/2/2024 & 4/3/2024), NPA (4/3/2024) and SAW (4/4/2024) Inspector Todd sent via email a post inspection follow-up email to Mr. Berlocker and Mr. Williamson to request ACCEL's AMP records and Simplified Facilities Group, Inc work contracts for work performed at SAW (Refer to YAE-Attachment C-1).
- B. On April 19, 2024, Mr. Berlocker responded to Inspector Todd's inspection follow-up email and stated that ACCEL was unable to locate AMPs for YAE, NPA and SAW. Mr. Berlocker also provided as attachments to his email the NAES proposals for the AHERA Inspections at YAE, NPA and SAW along with NPA and SAW recent abatement records/notifications from NTWA, LLC. Mr. Berlocker also stated that ACCEL is expected to receive the completed YAE AHERA inspection report conducted by NAES at YEA by April 24, 2024 (Refer to YAE-Attachment C-2).
- C. On April 22, 2024, Inspector Todd responded to Mr. Berlocker's email requesting ACCEL provide the Simplified Facilities Group, Inc work contracts for work performed at SAW and NAES inspection reports by April 24, 2024 (Refer to YAE-Attachment C-3).
- D. On April 30, 2024, Inspector Todd sent Mr. Berlocker a follow-up email requesting

the information noted in his April 22, 2024 email because EPA had not received a response from ACCEL (Refer to YAE-Attachment C-3).

- E. On May 2, 2024, Mr. Berlocker responded to Inspector Todd's email and provided the NAES proposal for the AHERA inspection at SAW and the Simplified Facilities Group, Inc work order and invoice for work performed at SAW (Refer to YAE-Attachment C-4).
- F. On May 3, 2024, Inspector Todd responded to Mr. Berlocker requesting ACCEL to provide the NAES YAE inspection reports by May 10, 2024 (Refer to YAE-Attachment C-5).
- G. On May 10, 2024, Mr. Berlocker responded to Inspector Todd's May 3, 2024, email and provided the NAES AHERA inspection report for YAE (Refer to YAE-Attachment C-6)

XIII. **YAE Attachments**

- A. EPA Inspection Forms: Inspection Sign-In Sheet, TSCA Notice of Inspection Form, TSCA Inspection Confidentiality Notification Form, TSCA Inspection Informational Sheet: Confidential Business Information, TSCA Declaration of Confidential Business Information, and TSCA Receipt for Samples Form
- B. YAE Walkthrough - Photo Log (April 2, 2024 & April 3, 2024)
- C. Post-Inspection: Emails and ACCEL Records
- D. Pre-Inspection Records

Niles Preparatory Academy, Report on Asbestos-Containing Materials in Schools Inspection to Determine Compliance with Toxics Substance Control Act and 40 C.F.R. Part 763, Subpart E

I. Local Education Agency and Inspected School

ACCEL Schools Ohio, LLC

Niles Preparatory Academy
45 S Chestnut Avenue, Niles, Ohio 4446

II. Date of Inspection

April 3, 2024

III. Participants

Michael Todd, Lead Inspector
U.S. Environmental Protection Agency
Telephone: 312-886-4843
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Brandon Brewster, Inspector
U.S. Environmental Protection Agency
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Mr. Bill Williamson, Facility Coordinator
ACCEL Schools Ohio, LLC
Telephone: [REDACTED]
Email: [REDACTED]

Ms. Melanie Jarmon, Principal
Niles Preparatory Academy
Telephone: [REDACTED]
Email: [REDACTED]

IV. Objectives

To investigate ACCEL Schools Ohio, LLC's level of compliance with the Asbestos-Containing Materials in Schools Rule (40 C.F.R. Part 763, Subpart E) pursuant to the

Asbestos Hazard Emergency Response Act (AHERA) and promulgated under the Toxic Substances Control Act (TSCA).

The inspection is a for cause inspection and was initiated in response to the U.S. Environmental Protection Agency (EPA) receiving an AHERA referral from the Ohio Environmental Protection Agency (OH-EPA) regarding ACCEL Schools Ohio, LLC's Youngstown Academy of Excellence school. ACCEL Schools Ohio, LLC's Niles Preparatory Academy and STEAM Academy of Warren were selected for targeted AHERA and Lead-Based Paint inspections due to the OH-EPA referral.

V. **Local Education Agency Background**

ACCEL Schools Ohio, LLC is a public and for-profit local education agency (LEA) that manages 76 brick-and-mortar schools and 16 virtual schools nationwide. As of the date of review on March 20, 2024, Inspector Todd did not identify AHERA information on the ACCEL website (<https://accelschools.com/our-schools/>). It does not appear that Niles Preparatory Academy's website contains AHERA information. (<https://nilesprepacademy.org/>)

VI. **Inspection Summary**

A. Pre-Inspection Activities

1. On April 2, 2024, Inspector Todd, Inspector Brewster, and Inspector Saldivar (Collectively "EPA Representatives") conducted an inspection at Youngstown Academy of Excellence with the Assistant Principal of Youngstown Academy of Excellence, Mr. Craig Rodik.
2. On April 3, 2024, The EPA Representatives met with Mr. Bill Williamson, ACCEL's Facility Coordinator, at Youngstown Academy of Excellence to coordinate the EPA inspections at Niles Preparatory Academy and STEAM Academy of Warren. Mr. Williamson and the EPA Representatives arranged to have the EPA inspection at Niles Preparatory Academy on April 3, 2024, at 11:00 a.m. (EST).

B. Opening Conference

1. The EPA Representatives arrived at Niles Preparatory Academy on April 3, 2024, at 11:02 a.m. (EST), and was greeted by Ms. Melanie Jarmon, Principal of Niles Preparatory Academy.
2. Upon arrival, no students were present at the school building due to the scheduled spring break, and only a few school employees were present. Mr. Williamson arrived shortly after the EPA Representatives.
3. The opening conference was held in Ms. Jarmon's office with the following participants: the EPA Representatives, Mr. Williamson, and Ms. Jarmon.
4. Inspector Todd distributed an inspection sign-in sheet for all inspection participants to complete.
5. Inspector Todd explained to Mr. Williamson and Ms. Jarmon that the purpose of the compliance inspection is to determine ACCEL's compliance with the AHERA requirements at Niles Preparatory Academy. Inspector Todd explained to Ms.

Jarmon that the EPA Representatives conducted a compliance inspection at Youngstown Academy of Excellence in response to EPA receiving a referral from OH-EPA, and that the EPA Representatives elected to conduct an inspection at Niles Preparatory Academy.

6. Inspector Todd, Inspector Brewster and Inspector Saldivar presented their federal credentials to Mr. Williamson and Ms. Jarmon.
 7. Inspector Todd proposed a schedule for the compliance inspection to Mr. Williamson and Ms. Jarmon consisting of the opening conference; reviewing and signing information forms; interview questions regarding Niles Preparatory Academy's operations and background; reviewing, copying, and collecting Niles Preparatory Academy's asbestos management plan records; a walkthrough of a school building; and a closing conference.
 8. Inspector Todd presented to Mr. Williamson and Ms. Jarmon the "TSCA Notice of Inspection" form and explained the purpose of the form.
 9. Mr. Williamson reviewed, signed and dated the "TSCA Notice of Inspection" form (Refer to Attachment NILES-A.).
 10. Inspector Todd presented Mr. Williamson and Ms. Jarmon with the "TSCA Inspection Confidentiality Notification" and "Proprietary/Confidential Business Information Notice for TSCA Inspections" form. Inspector Todd explained the process of claiming confidential business information (CBI) under TSCA. Inspector Todd further explained the Niles Preparatory Academy's right to claim any information collected by the EPA Representatives during the inspection as TSCA CBI.
 11. Inspector Todd explained to Mr. Williamson and Ms. Jarmon the different levels of confidentiality including, personal identification information (PII), general CBI, and TSCA CBI.
 12. Mr. Williamson reviewed, signed, and dated the "TSCA Inspection Confidentiality Notification" form (Refer to Attachment NILES-B.).
 13. Inspector Todd explained to Mr. Williamson that the "Proprietary/Confidential Business Information Notice for TSCA Inspections" form will be completed during the inspection's closing conference.
 14. Inspector Todd presented to Mr. Williamson and Ms. Jarmon the "TSCA Receipt for Samples and Documents" form and explained that all documentation collected during the inspection would be recorded on that form, unless the documentation is claimed as TSCA CBI.
 15. Ms. Jarmon asked Inspector Todd if Niles Preparatory Academy needs an inspection since it has been operating for a total of three years. Inspector Todd answered that Niles Preparatory Academy may need an inspection depending on how its school building was transferred to ACCEL.
- C. Inspection Observations and Sample Collection
1. Inspection Interview
 - a) The inspection interview was held in Ms. Jarmon's office at 11:18 a.m. (EST) with the following participants: the EPA Representatives, Mr. Williamson,

and Ms. Jarmon.

- b) Inspector Todd asked Mr. Williamson and Ms. Jarmon to identify if ACCEL is public and non-profit, or private and for-profit.
- c) Mr. Williamson stated that ACCEL may be identified as private and for-profit. Ms. Jarmon stated that ACCEL is private, and Niles Preparatory Academy is a public school.
- d) Inspector Todd asked Mr. Williamson and Ms. Jarmon how many students are enrolled at Niles Preparatory Academy.
- e) Ms. Jarmon stated that 150 students are enrolled in Niles Preparatory Academy.
- f) Inspector Todd asked Mr. Williamson and Ms. Jarmon what grade levels Niles Preparatory Academy offers.
- g) Ms. Jarmon stated that Niles Preparatory Academy offers Kindergarten to 6th Grade.
- h) Inspector Todd asked Ms. Jarmon if Niles Preparatory Academy offers Pre-Kindergarten classes.
- i) Ms. Jarmon stated that Niles Preparatory does not offer Pre-Kindergarten classes.
- j) Inspector Todd asked Mr. Williamson and Ms. Jarmon how many buildings Niles Preparatory Academy occupies and utilizes for all day-to-day school operations.
- k) Ms. Jarmon stated that Niles Preparatory Academy uses one school building.
- l) Inspector Todd asked Mr. Williamson and Ms. Jarmon if ACCEL owns or leases the school building Niles Preparatory Academy occupies.
- m) Mr. Williamson stated that he believes ACCEL owns the school building.
- n) Inspector Todd asked Mr. Williamson and Ms. Jarmon if ACCEL hires a third-party asbestos consultant to facilitate the asbestos management requirements under AHERA for Niles Preparatory Academy.
- o) Mr. Williamson stated that he is only aware of ACCEL hiring North American Environmental Services, Inc. (NAES) for Youngstown Academy of Excellence, and is unaware if ACCEL has hired a consultant for Niles Preparatory Academy.
- p) Inspector Todd asked Mr. Williamson and Ms. Jarmon if Niles Preparatory Academy conducts any school activities at the church building that is next door to the school building.
- q) Ms. Jarmon stated that all of Niles Preparatory Academy's school activities are conducted in the school building.
- r) Inspector Todd asked Mr. Williamson and Ms. Jarmon if Niles Preparatory Academy has designated a person to oversee all the asbestos activities within the school building.
- s) Mr. Williamson and Ms. Jarmon stated that they are unaware if Niles Preparatory Academy has a designated person.
- t) Inspector Todd asked Mr. Williamson and Ms. Jarmon if Niles Preparatory Academy distributes the annual notification notifying parents, teachers,

employee organizations, and relevant organizations of the availability of the asbestos management plans.

- u) Mr. Williamson and Ms. Jarmon stated they are unaware if Niles Preparatory Academy distributes an annual notification as Inspector Todd described.
 - v) Inspector Todd asked Mr. Williamson and Ms. Jarmon if Niles Preparatory Academy's custodial and maintenance staff have received the 2-hour asbestos awareness training under AHERA.
 - w) Mr. Williamson and Ms. Jarmon stated they are unaware if the Niles Preparatory Academy's custodial and maintenance staff have received the 2-hour asbestos awareness training under AHERA. Mr. Williamson stated that all maintenance and work order activities are conducted by Simplified Facilities Group, and cleaning activities are conducted by Crystal Clean.
 - x) Inspector Todd asked Mr. Williamson what type of work Simplified Facilities Group services does for Niles Preparatory Academy.
 - y) Mr. Williamson provided examples of when Simplified Facilities Group is contacted, including resolving broken floor tile issues, heating issues, and plumbing issues.
 - z) Inspector Todd asked Mr. Williamson and Ms. Jarmon if Niles Preparatory Academy has an existing asbestos management plan onsite.
 - aa) Ms. Jarmon stated that she is unaware if Niles Preparatory Academy has an asbestos management plan.
 - bb) Inspector Todd asked Mr. Williamson and Ms. Jarmon if Niles Preparatory Academy's school building has an asbestos-free statement or AHERA inspection exemption.
 - cc) Mr. Williamson and Ms. Jarmon stated that they are unaware if Niles Preparatory Academy's school building has an asbestos-free statement or AHERA inspection exemption.
 - dd) Inspector Todd asked Mr. Williamson and Ms. Jarmon if Niles Preparatory Academy has recently undergone any renovation activities.
 - ee) Ms. Jarmon stated that the most recent renovation activities occurred when the school building opened three years ago (calendar year 2021) and included cleaning activities. Mr. Williamson stated that he is unaware if Niles Preparatory Academy recently had any renovation activities conducted.
 - ff) Inspector Todd stated that the next phase of the inspection is to conduct a walkthrough of Niles Preparatory Academy school building and asked Mr. Williamson and Ms. Jarmon if there are any areas of concern regarding asbestos or lead-based paint in the school building.
 - gg) Ms. Jarmon stated that she is unaware of any areas of concern in the school building and did not have any knowledge of asbestos or lead-based paint in the school building. Mr. Williamson stated that he is unaware of any areas of concern in the school building.
2. Asbestos Management Plan Review
- a) Niles Preparatory Academy did not have records regarding asbestos management activities available during the inspection.

- b) ACCEL did not have records regarding asbestos management activities for Niles Preparatory Academy available during the inspection.
 - c) The EPA Representatives did not review any records regarding asbestos management activities during the inspection because the records were not available.
3. School Walkthrough
- a) The EPA Representatives, Mr. Williamson, and Ms. Jarmon (collectively "Inspection Party") left Ms. Jarmon's at 11:40 a.m. (EST) and headed to the Upper Level.
 - b) The school building consists of three levels: Upper Level, Main Level and Lower Level. The Upper Level contains Classrooms 300 to 303, 305, and Office 304. The Main Level contains classrooms 200, 201, 202, administrative offices, warming kitchen, the all-purpose gymnasium, gymnasium classrooms 1 to 4. The Lower Level contains classrooms 100 to 102, and the boiler room. (Refer to Attachment NILES-C, Photo No. 7, 26, 30 and 49.).
 - c) All building materials and components at the school building observed by the EPA Representatives during the inspection have a potential to contain asbestos. There are no records available during the inspection for the EPA Representatives to verify if the components contain asbestos or identified to not meet the regulatory requirements to contain asbestos.
 - d) The following are the EPA Representatives' observations during the walkthrough of Niles Preparatory Academy:

Upper Level – Room 305

Ms. Jarmon stated that Classroom 305 is used by 4th, 5th, and 6th grade students. The classroom contained suspect ACBM 1'x1' acoustical ceiling tile and 12"x12" gray floor tile (Refer to Attachment NILES-C, Photo Sample No. 4.).

Upper Level – Custodial Closet

The custodial closet contained suspect ACBM yellow laminated flooring. It is unknown if the current color and texture of the laminated flooring is original or due to prolonged use (Refer to Attachment NILES-C, Photo Sample No. 5.).

Upper Level – Hallway

The hallway contained suspect ACBM 1'x1' acoustical ceiling tile, tiled walls, 12"x12" gray floor tile. Ms. Jarmon stated that the entire school building received new floor tiles and new paint between calendar years 2020-2021 (Refer to Attachment NILES-C, Photo No. 8.).

Upper Level – Room 302 (Resource Room)

Upon arrival to the Resource Room, minor wall paint damage was observed near the entrance. The Resource Room contained suspect

ACBM 1'x1' acoustical ceiling tile (Refer to Attachment NILES-C, Photo No. 7.).

Upper Level – Eastern Stairwell

The eastern stairwell in the Upper Level contained a vertical pipe that appears to be a water supply riser and continued to the Main Level. Inspector Todd observed the vertical pipe's insulation wrapping to be firm and hard in texture and suspect for ACBM. 1'x1' acoustical ceiling tile continued from the Upper Level hallway to the Upper Level eastern stairwell (Refer to Attachment NILES-C, Photo No. 9.).

Main Level – Eastern Stairwell

The water supply riser continued from the Upper Level eastern stairwell to the Main Level eastern stairwell. Inspector Todd observed the vertical pipe's insulation wrapping to be firm and hard in texture and suspect for ACBM. The bottom of the vertical pipe's insulation wrap appeared to have signs of deterioration (Refer to Attachment NILES-C, Photo No. 10 to 11.).

Main Level – Gymnasium

The Main Level contained a large multi-purpose gymnasium that housed activities for a gym, stage, cafeteria, and four enclosed classrooms (Refer to Attachment NILES-C, Photo No. 12, 13 and 26.).

Various suspect ACBM vertical and horizontal piping were observed throughout the gymnasium. A wooden box was observed located at the western wall of the gymnasium that may have been concealing a water heat transfer appliance (Refer to Attachment NILES-C, Photo No. 23.). The suspect ACBM ceiling boards with a fibrous texture located at the entrance of the gymnasium contained water damage (Refer to Attachment NILES-C, Photo No. 24.).

The center of the gymnasium also served as a cafeteria by having space for tables to be set up for students to have lunch. The food preparation and serving area was located on the western side of the gymnasium and contained ceramic floor tile and suspect ACBM 1'x1' acoustical ceiling tile.

The stage is located on the northside of the gymnasium. The back of the stage contained a boiler and heat transfer system that was closed off by a brick wall partition. The EPA Representatives were not able to access the boiler and heat transfer system due to the wall partition. Suspect ACBM horizontal and vertical piping were observed to be accessible and inaccessible due to the brick wall partition. An insulation jacket to the

heat transfer system appeared to be in a deteriorating condition and suspect for ACBM (Refer to Attachment NILES-C, Photo No. 14 to 16.). Two storage rooms located in the back of the stage had an asbestos caution sign posted on the entrance doors (Refer to Attachment NILES-C, Photo No. 17 and 20.), and contained deteriorating suspect ACBM 1'x1' acoustical ceiling tiles, damaged green floor tiles, and deteriorating wall plaster and paint exposing the wall's concrete base. Both storage rooms stored various school furniture and educational material (Refer to Attachment NILES-C, Photo No. 17 to 22.).

There are four individual classrooms labeled as Rooms 1 to 4 in the southside of the gymnasium. All four classrooms appear to have new floor tile and new wall tile.

A hallway to exit the southside of the gymnasium had vertical piping that were connected from the floor to the ceiling were accessible. Inspector Todd observed the vertical pipe's insulation wrapping to be soft in texture.

Main Level – Custodial Closet

A custodial closet located across from classroom 200 stored various cleaning items and contained brown and white-striped suspect ACBM 9"x9" floor tile (Refer to Attachment NILES-C, Photo No. 25.).

Main Level – Hallway

The Main Level's hallway contained suspect ACBM 1'x1' acoustical ceiling tile, tiled walls, 12"x12" gray floor tile. All floor tiles and painted walls appear to be in new condition.

Lower Level – Classrooms 100 to 102

Classroom 100 and 102 both contained suspect ACBM 1'x1' acoustical ceiling tile, 12"x12" gray floor tile, and pipe insulation attached to the ceiling surrounding the classroom (Refer to Attachment NILES-C, Photo Sample No. 27 to 29.).

Lower Level – Electric Room

The electric room located between classrooms 101 and 102 contained the school building's electric panels and breaker box and appeared to be used for storing various school equipment. The floor tile appeared to have been previously removed and the concrete base is exposed. The far end wall of the electric room contained suspect ACBM pipe insulation (Refer to Attachment NILES-C, Photo No. 31.).

Lower Level – Custodial Closet

A custodial storage room located across classroom 100 used to store various custodial equipment had a small narrow hallway occupied by suspect ACBM thermal system insulation (Refer to Attachment NILES-C, Photo No. 32 to 34.). The ceiling in the small hallway appeared to have a brown fiber insulation that may be fiberglass or another fiber material (Refer to Attachment NILES-C, Photo No. 35.). An elbow's suspect ACBM insulation appeared to be deteriorating and exposing the mudding that is in a friable condition (Refer to Attachment NILES-C, Photo No. 36.).

Lower Level – Boys and Girls Bathrooms

The boys and girl's bathroom located at the far end of the Lower Level hallway contained insulated pipe risers from the heat exchanger box (Refer to Attachment NILES-C, Photo No. 37.).

Lower Level – Boiler Room

The boiler room contained a new boiler system and other stored custodial equipment (Refer to Attachment NILES-C, Photo No. 43.). The boiler room entrance door is identified as a "Fyrgard" fire door by The Richmond Fireproof Door Co. (Refer to Attachment NILES-C, Photo No. 38 and 42.). Immediately to the right side of the entrance were two boiler permits stating that the boiler had been installed on January 8, 2021 (Refer to Attachment NILES-C, Photo No. 39 to 41.).

The northwest side of the boiler room's ceiling suspect ACBM plaster was deteriorating and falling onto the ground. Visible dust and debris of the ceiling plaster was present throughout the boiler room's floor (Refer to Attachment NILES-C, Photo No. 44 to 45.). The northwest side of the boiler room contained suspect ACBM pipe elbow insulation that was deteriorating, and its mudding appeared friable. It appears that the pipe insulation elbow may have been patched in the past (Refer to Attachment NILES-C, Photo No. 46.).

The southeast side of the boiler room's ceiling contained horizontal piping with insulation wrapping that appear to be deteriorating and becoming friable (Refer to Attachment NILES-C, Photo No. 47.).

Lower Level – Hallway

The Lower Level's hallway contained different ceiling tiles and floor tiles compared to the hallways in the Upper Level and Main Level. The Lower Level's hallway had drop-down ceiling tiles and light blue floor tiles (Refer to Attachment NILES-C, Photo No. 48.).

- e) Inspector Todd, Mr. Williamson, and Ms. Jarmon returned to Ms. Jarmon's office to conduct the closing conference, while Inspector Brewster and Inspector Saldivar remained in the Basement-Boiler Room to take additional photographs.
- f) Mr. Williamson was present during the walkthrough of all floors of the Niles Preparatory Academy inspection and the EPA Representatives relayed their observations and concerns to Mr. Williamson while documenting their observations and concerns during the walkthrough.

D. Closing Conference

1. The closing conference was held in Ms. Jarmon's office at 12:35 p.m. (EST) with the following participants: Inspector Todd, Mr. Williamson, and Ms. Jarmon.
2. Inspector Todd asked Mr. Williamson if ACCEL is planning to claim any information collected by the EPA Representatives during the inspection as CBI under TSCA.
3. Mr. Williamson stated that ACCEL does not plan to claim any information collected during the inspection as TSCA CBI.
4. Inspector Todd completed the "Proprietary/Confidential Business Information Notice for TSCA Inspections" form by writing a line right through the form's Part B with permanent ink and explained to the Mr. Williamson that signing this form would mean that EPA did not collect any information identified as TSCA CBI during the inspection.
5. Mr. Williamson reviewed, signed, and dated the "Proprietary/Confidential Business Information Notice for TSCA Inspections" form (Refer to Attachment NILES-D.).
6. Inspector Brewster and Inspector Saldivar returned to Ms. Jarmon's office at 12:45 p.m. (EST), and Inspector Todd continued the closing conference.
7. Inspector Todd explained to Mr. Williamson and Ms. Jarmon that EPA would email ACCEL a copy of the inspection report memorializing what was observed and collected during the inspection at Niles Preparatory Academy within 70 calendar days.
8. Inspector Todd asked Mr. Williamson and Ms. Jarmon who the inspection report should be emailed to at ACCEL.
9. Mr. Williamson stated that the inspection report should be sent via email to Ms. Jarmon, Mr. Roy Berlocker, and himself.
10. Inspector Brewster offered Mr. Williamson and Ms. Jarmon the opportunity to review the 49 photos that were taken by the EPA Representatives during the inspection. Mr. Williamson and Ms. Jarmon declined to the opportunity to review the photos that were taken during the inspection.
11. Inspector Todd completed the "TSCA Receipt for Samples and Documents" form, and requested and presented the completed form to Mr. Williamson.
12. Mr. Williamson reviewed, signed, and dated the "TSCA Receipt for Samples and Documents" form (Refer to Attachment NILES-E).
13. Inspector Todd provided Mr. Williamson and Ms. Jarmon the copies of the

completed and signed inspection forms and inspection-sign in sheet for ACCEL's internal records.

14. Inspector Todd elected not to provide Mr. Williamson with a compliance package since Mr. Williamson received a compliance package earlier in the day at Youngstown Academy of Excellence. Inspector Todd reviewed each of the compliance package publications with Mr. Williamson and explained the resources within the publications that ACCEL may find beneficial in addressing the AHERA and lead-based paint observation and concerns. Inspector Todd specifically referenced [EPA's Sensible Steps to Healthier School Environments](#) and [Small Entity Compliance Guidance to Renovate Right](#) as resources ACCEL may find useful following the inspection.
15. Inspector Todd and Mr. Williamson agreed that the inspection for STEAM Academy of Warren will take place on April 4, 2024 at 9:30 a.m. (EST).
16. The closing conference ended, and the EPA Representatives left the school building at 12:52 p.m. (EST).

VII. **Attachments: Niles Preparatory Academy**

NILES-A. TSCA Notice of Inspection Form

NILES-B. TSCA Confidential Business Information Notice Form

NILES-C. Inspection Photolog

NILES-D. United States Environmental Protection Agency Proprietary/Confidential Business Information Notice for TSCA Inspections Form

NILES-E. TSCA Receipt for Samples and Documents Form

STEAM Academy of Warren, Report on Asbestos-Containing Materials in Schools Inspection to Determine Compliance with Toxics Substance Control Act and 40 C.F.R. Part 763, Subpart E

I. Local Education Agency Information

ACCEL Schools Ohio, LLC

STEAM Academy of Warren
261 Elm Rd NE, Warren, Ohio 44483

II. Date of Inspection

April 4, 2024

III. Participants

Michael Todd, Lead Inspector
U.S. Environmental Protection Agency
Telephone: 312-886-4843
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Christina Saldivar, Inspector
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Email: brewster.brandon@epa.gov

Mr. Bill Williamson, Facility Coordinator
ACCEL Schools, LLC.
Telephone: [REDACTED]
Email: [REDACTED]

IV. Objectives

To investigate ACCEL Schools, LLC's level of compliance with the Asbestos-Containing Materials in Schools Rule (40 C.F.R. Part 763, Subpart E) pursuant to the Asbestos Hazard Emergency Response Act (AHERA) and promulgated under the Toxic Substances Control Act (TSCA).

The inspection is a for cause inspection and was initiated in response to the U.S. Environmental Protection Agency (EPA) receiving an AHERA referral from the Ohio Environmental Protection Agency (OH-EPA) regarding ACCEL Schools Ohio, LLC's

Youngstown Academy of Excellence school. ACCEL Schools Ohio, LLC's STEAM Academy of Warren was selected as a targeted AHERA and Lead-Based Paint inspection due to the OH-EPA referral.

V. **Local Education Agency Background**

ACCEL Schools Ohio, LLC is a public and for-profit local education agency (LEA) that manages 76 brick-and-mortar schools and 16 virtual schools nationwide. It does not appear that the ACCEL website contains AHERA information (<https://accelschools.com/our-schools/>). As of the date of review on March 20, 2024, Inspector Todd did not identify AHERA information on the ACCEL website (<https://accelschools.com/our-schools/>). It does not appear that STEAM Academy of Warren's website contains AHERA information (<https://steamacademywarren.org/>).

VI. **Inspection Summary**

A. Pre-Inspection Activities

1. On April 2, 2024, Inspector Todd, Inspector Brewster, and Inspector Saldivar (Collectively "EPA Representatives") conducted an inspection at Youngstown Academy of Excellence with the Assistant Principal of Youngstown Academy of Excellence, Mr. Craig Rodik.
2. On April 3, 2024, The EPA Representatives met with Mr. Bill Williamson, ACCEL's Facility Coordinator, at Youngstown Academy of Excellence to coordinate the EPA inspections at Niles Preparatory Academy and Steam Academy of Warren. Mr. Williamson and the EPA Representatives arranged to have the EPA inspection at Niles Preparatory Academy on April 3, 2024, at 11:00 a.m. (EST). Mr. Williamson and the EPA Representatives arranged to have the EPA inspection at Steam Academy of Warren on April 4, 2024, at 9:30 a.m. (EST).

B. Opening Conference

1. Inspector Todd, Inspector Saldivar, and Inspector Brewster (Collectively "EPA Representatives") arrived at SAW on April 4, 2024, at 9:30 a.m. (EST).
2. The EPA Representatives met with Bill Williamson at the school's side entrance (Refer to Attachment SAW.5. Inspection Photos: IMG_0664) and were invited inside.
3. The opening conference was held in SAW's conference and teachers' lounge space with the EPA Representatives and Mr. Williamson.
4. Mr. Williamson informed the EPA Representatives that he would be the only representative present for the inspection.
5. Inspector Todd requested the inspection participants to complete a sign-in sheet recording each participant's name, title, and contact information (Refer to Attachment SAW.1. Inspection Sign-in Sheet).
6. Inspector Todd, Inspector Saldivar, and Inspector Brewster presented their federal credentials to the participants at 9:38 a.m. (EST).

7. Inspector Todd explained to Mr. Williamson that the purpose of the compliance inspection is to determine SAW's compliance with the AHERA requirements, and in response to EPA receiving a referral from the OH-EPA alleging that SAW was not in compliance with the AHERA requirements.
8. Inspector Todd presented and explained the "TSCA Notice of Inspection" form to Mr. Williamson. Mr. Williamson reviewed, signed, and dated the "TSCA Notice of Inspection" form (Refer to Attachment SAW.2. TSCA Notice of Inspection).
9. Inspector Todd presented and explained the "TSCA Inspection Confidentiality Notice" form to Mr. Williamson who then signed the form (Refer to Attachment SAW.3. TSCA Inspection Confidentiality Notice).
10. Mr. Williamson asked Inspector Todd what Freedom of Information Act (FOIA) meant.
11. Inspector Todd explained the FOIA process to Mr. Williamson.
12. Inspector Todd presented Mr. Williamson with the "Notice for Toxic Substances Control Act (TSCA) Inspections" and "Quick Reference Guide: TSCA Enforcement and Compliance Communications Application in EPA CDX" and explained the process of claiming confidential business information (CBI) under TSCA. Inspector Todd explained ACCEL School's right to claim any information collected by the EPA Representatives during and ten days after the inspection as TSCA CBI.
13. Mr. Williamson reviewed, signed, dated the "Notice for Toxic Substances Control Act (TSCA) Inspections" form marking the box confirming receipt of the notice and declining any claim of CBI (Refer to Attachment SAW.4. Notice for Toxic Substances Control Act (TSCA) Inspections).
14. Inspector Todd presented and explained the "TSCA Receipt for Samples and Documents" form to Mr. Williamson informing him that any documents collected by EPA would be recorded on the form, unless the documentation is claimed as CBI.
15. The opening conference concluded at 9:45 a.m. (EST).

C. Inspection Interview

1. The inspection interview was held in SAW's conference room and teachers' lounge at 9:45 a.m. (EST) with the EPA Representatives and Mr. Williamson.
2. The EPA Representatives asked Mr. Williamson questions regarding the LEA's background, responsibilities, and asbestos management plans.
3. In general, Mr. Williamson's responses to the inspection interview questions regarding the AHERA requirements were similar to his responses at Youngstown Academy of Excellence and Niles Preparatory Academy. Each facility is managed by ACCEL with its custodial needs being contracted out to Crystal Clear, and maintenance needs are contracted out to Simplified Facilities Group. Mr. Williamson was not aware if Crystal Clear or Simplified Facilities Group employees had received the two-hour asbestos training or other training/notification.

4. Inspector Todd asked Mr. Williamson to identify if the LEA is public and non-profit, or private and for-profit. Mr. Williamson stated that the LEA is a private charter school system and was not sure if it was private for-profit.
5. Inspector Todd asked Mr. Williamson how many students are enrolled at SAW. Mr. Williamson stated that approximately 400 students are enrolled at the school.
6. Inspector Todd asked Mr. Williamson what grade levels SAW serves. Mr. Williamson stated that SAW serves Kindergarten through 8th grade, no Pre-K.
7. Inspector Todd asked Mr. Williamson how many school buildings were a part of SAW. Mr. Williamson stated that there was just this location at 261 Elm Road NE, Warren, Ohio 44483.
8. Inspector Todd asked Mr. Williamson if ACCEL/SAW hires a third-party asbestos consultant. Mr. Williamson replied no, they do not.
9. Inspector Todd asked Mr. Williamson if ACCEL/SAW has designated a person to oversee all the asbestos activities within the LEA. Mr. Williamson stated that he was not aware of a designated person.
10. Inspector Todd asked Mr. Williamson if ACCEL/SAW distributes the annual notification notifying parents, teachers, employee organizations, and relevant organizations of the availability of the asbestos management plans. Mr. Williamson stated that he was not aware of an annual notification.
11. Inspector Todd asked Mr. Williamson to explain how the Custodial/maintenance staff were organized. Mr. Williamson stated that one Day Porter (6hr), two-night porters (4hr), and one mid-day porter (4hr) are employed through Crystal Clear to handle the school's custodial needs.
12. Inspector Todd asked Mr. Williamson if SAW utilizes Simplified Facilities Group (SFG) for maintenance activities. Mr. Williamson stated yes, that SFG based out of Elyria, Ohio, comes out to handle maintenance when maintenance requests are submitted.
13. Inspector Todd asked Mr. Williamson if SAW provides short-term workers who may come in contact with asbestos in a school building with information regarding the locations of asbestos-containing building material (ACBM) and suspected ACBM assumed to be asbestos-containing material (ACM). Mr. Williamson stated that he was not aware of any AHERA short-term worker notifications provided by ACCEL or SAW.
14. Inspector Todd explained the AHERA asbestos management plan (AMP) requirements and asked Mr. Williamson if he was aware of an AMP at SAW or any of the schools in the ACCEL network. Mr. Williamson stated that he was unaware of an AMP at SAW or AMPs for ACCEL network schools.
15. Inspector Todd asked Mr. Williamson if he was aware of an AHERA exemption for SAW. Mr. Williamson stated that he was not aware of an AHERA exemption for SAW.
16. Inspector Todd asked Mr. Williamson if he was aware of any recent renovation activities at SAW. Mr. Williamson stated that he was unaware of any recent renovation activities since the time of his employment.

17. Inspector Todd asked Mr. Williamson when ACCEL acquired SAW. Mr. Williamson stated that he was unsure when SAW was acquired by ACCEL.
 18. Inspector Brewster asked Mr. Williamson when he started his employment with ACCEL. Mr. Williamson stated that he started on January 4, 2024, and is responsible for Youngstown Academy of Excellence (YAE), Niles Preparatory Academy (NPA), and SAW.
 19. Inspector Brewster asked Mr. Williamson if someone was in his position prior to his employment. Mr. Williamson stated that there was someone prior to him, but he was unsure who the individual was as he had never met him.
 20. Inspector Todd asked Mr. Williamson if he was aware of any abatement and Operations and Maintenance activities in the last three years. Mr. Williamson stated that he was not aware of any of these activities taking place in the last three years.
 21. Inspector Todd informed Mr. Williamson that the next phase of the inspection would be the walkthrough, and asked if he had any questions prior to the walkthrough. Mr. Williamson stated that he did not have any questions.
 22. The inspection interview ended at 10:00 a.m. (EST). The EPA Representatives and Mr. Williamson left the conference room/teachers' lounge.
- D. School Walkthrough
1. The school building consists of four levels: the Lower Level, Main Level, Second Level, and Third Level. The Lower Level contains the Boiler Room, Abandoned Bathroom Storage, Cafeteria, Crystal Clear Storage and Book Room. The Main Level contains the Gymnasium and Auditorium Stage, Risers, East Storage room, Northwest Gym Closet Storage, Southwest Storage/Kitchen, and classrooms 107, and 109. The Second Level contains the Technology and Server room and 2nd floor Women's Restroom. The Third Level contains the 3rd floor Custodial Closet, classroom 302, the science lab rooms, classrooms 301, 306, 309, the 3rd floor Men's, and Women's Restrooms (Refer to Attachment SAW.5. Inspection Photos and SAW.6. Inspection Photo Log).
 2. All building areas and rooms entered were unlocked and accessible by building occupants. The building suspect ACBM materials and components at the school observed by the EPA Representatives during the inspection have a potential to contain asbestos. There were no records available during the inspection for the EPA Representatives to verify if the components contain asbestos or identified to not meet the regulatory requirements. EPA Representatives did not observe any labels or warning signs on any of the building materials or components observed at SAW identifying them as asbestos containing.
 3. The Inspection walkthrough began at 10:01 a.m. (EST). The EPA Representatives and Mr. Williamson moved from the Main Level teacher's lounge/conference room to the gymnasium area.
 4. The following are the EPA Representatives' observations during the walkthrough of STEAM Academy of Warren:

Main Level – Gymnasium

The EPA Representatives observed a stage in the western portion of the gym and risers in the eastern portion of the gym (Refer to Attachment SAW.5. Inspection Photos: IMG_0591). In the stage area new heater lines were observed on the south and north sides (SAW.5. Inspection Photos: IMG_0592 & 0593). The stage area also had two stairwells on the south and north sides that had significantly deteriorated suspect friable ACBM plaster, significantly damaged friable suspect ACBM floor tile and suspect damaged and chipping lead-based paint (SAW.5. Inspection Photos: IMG_0594 & 0595). In the southeast storage closet, significant amounts of wall and ceiling plaster and suspect lead-based paint debris were observed (SAW.5. Inspection Photos: IMG_0596, 0597, and 0598). In the Southeast portion of the gym risers suspect ACBM ceiling tiles were observed to be crumbling, flaking, damaged and in some instances replaced. In the Northwest gym closet/storage room the ceiling was observed to be collapsing into the room (SAW.5. Inspection Photos: IMG_0600). Suspect lead-based paint debris and suspect friable ACBM plaster and other materials were observed to be covering the floor and school supplies stored inside (SAW.5. Inspection Photos: IMG_0601), and the ceiling infrastructure is exposed (SAW.5. Inspection Photos: IMG_0602 to 0603).

Main Level – Southwestern Storage room/Old Kitchen

Upon entering the room EPA Representatives immediately observed suspect lead-based paint chips and debris from renovation activities being contained in a yellow mop bucket (SAW.5. Inspection Photos: IMG_0604) as well as a paint brush (SAW.5. Inspection Photos: IMG_0605) and other insulation materials in the room (SAW.5. Inspection Photos: IMG_0606 and 0609). Significant ceiling water damage and exposed mastic pucks were observed (SAW.5. Inspection Photos: IMG_0607, 0608, and 0609). Mr. Williamson informed EPA Representatives that SFG had attempted to repair the damage back in January of 2024 and that the walls had been recently painted.

Main Level Southwest Stairway to Lower Level – Water meter room

At the bottom of the stairs, pipe runs were observed that ran through the wall and into a water meter room (SAW.5. Inspection Photos: IMG_0610). In the water meter room, significant damage to the wall and ceiling suspect friable ACBM materials was observed with debris and visible dust covering the floor (SAW.5. Inspection Photos: IMG_0611).

Lower Level – Custodial Closet/Abandoned Bathroom

The Custodial Closet/Abandoned Bathroom was directly across from the water meter room in the Lower Level. Upon opening the door and looking up at the ceiling, the EPA Representatives observed significantly

damaged flaking suspect lead-based paint and significantly damaged friable suspect ACBM ceiling material and Thermal System Insulation (TSI) (SAW.5. Inspection Photos: IMG_0612). Additionally, significantly damaged suspect friable ACBM plaster and other ceiling materials that had fallen, covered the floor (SAW.5. Inspection Photos: IMG_0613, 0614, and 0615).

Lower Level - Cafeteria

The cafeteria contained blue suspect ACBM 9"x9" floor tile in fair condition. The cafeteria's 2'x4' ceiling tile appeared to be new and a 4" horizontal pipe line with minor damage to the TSI spanned the southern wall hung from the ceiling (SAW.5. Inspection Photos: IMG_0616).

Lower Level – Boiler Room

Upon entering the boiler room, two suspect ACBM boiler gaskets were observed, one was significantly damaged and in friable sections on top of a rolling cart in the center of the room and the second was placed intact against the wall (SAW.5. Inspection Photos: IMG_0617). Close-up photos of the suspect ACBM boiler gaskets were taken (SAW.5. Inspection Photos: IMG_0618, 0619, 0620, and 0621). In the main room, the old boilers remained and were on the left and right side of the new boiler (SAW.5. Inspection Photos: IMG_0622). A close-up photo was taken of the old boiler on the right where the gasket was removed (SAW.5. Inspection Photos: IMG_0623). Damaged suspect ACBM TSI was observed throughout the main room (SAW.5. Inspection Photos: IMG_0624 and 0625).

Lower Level - Hallway

The floor of the Lower level was observed to be terrazzo and the ceiling tiles were 2'x4' (SAW.5. Inspection Photos: IMG_0627).

Lower Level – Instruction area/Book and supplies storage/Crystal Clear Staff area

At the north end of the Lower Level a large multi-use room with removed floor tile and exposed suspect ACBM black mastic was observed. This room appeared to be used for book and school supply storage, student instruction, as well as a Crystal-Clear custodial staff break area/office (SAW.5. Inspection Photos: IMG_0628). In the back left of the room, children's chairs and desk were set up with instructional materials both on the desk and floor area (SAW.5. Inspection Photos: IMG_0629). In this same area, a pipe run with fair condition TSI was observed on the left wall above the bookshelves (SAW.5. Inspection Photos: IMG_0629). In the back right of the room, a waste bin containing a discarded suspect ACBM 1'x1' acoustical ceiling tile with yellow and blue streamer rolls on

top was observed (SAW.5. Inspection Photos: IMG_0630). Additionally, missing suspect ACBM ceiling tiles with exposed suspect ACBM mastic pucks over the Crystal-Clear staff area was observed (SAW.5. Inspection Photos: IMG_0631, 0632, 0634 and 0635). A pipe with suspect ACBM TSI runs the length of the room in this area as well (SAW.5. Inspection Photos: IMG_0632 and 0633).

Main Level – Classroom 109

Classroom 109 contained 2'x4' drop ceiling tiles and suspect ACBM 12"x12" tan floor tiles (SAW.5. Inspection Photos: IMG_0636).

Main Level – Classroom 107

Classroom 107 was equipped with the same ceiling and floor tile as classroom 109. The southwestern baseboard of the classroom was observed to be peeling away from the wall and had exposed glue/mastic and paint debris. The baseboard and glue were located next to a child's play kitchen set (SAW.5. Inspection Photos: IMG_0637).

Main Level – Hallway

The Main Level hallway had two types of floor surfacing. The first type seen in the dark portion of the photograph is tile, and the second type captured in the lit portion of the photograph is terrazzo (SAW.5. Inspection Photos: IMG_0638).

Second Level – Hallway

The Second Level hallway had terrazzo flooring throughout the hall as well as a plaster ceiling (SAW.5. Inspection Photos: IMG_0639).

Second Level – Technology and Server Room

In the Technology and Server Room peeling and chipping suspect lead-based paint were observed on the wall (SAW.5. Inspection Photos: IMG_0640). Visible dust and debris covered the flooring (SAW.5. Inspection Photos: IMG_0641).

Second Level – Women's Restroom

The women's restroom contained pipe runs with suspect ACBM TSI spanning the width of the restroom above the window (SAW.5. Inspection Photos: IMG_0642). Duct tape patches were observed on the pipe elbow TSI above the windows (SAW.5. Inspection Photos: IMG_0643). These materials seemed to be in a fair to damaged condition.

Second Level – Classrooms

The classrooms on this level were all locked. Mr. Williamson informed the EPA Representatives that the classrooms had similar building materials as

the Main Level. The EPA Representatives and Mr. Williamson proceeded to the Third Level.

Third Level – Southwestern Custodial Closet

The Custodial Closet contained spare desks stacked in front of the window and deteriorated suspect lead-based paint and suspect ACBM ceiling materials observed in the corner of the room (SAW.5. Inspection Photos: IMG_0645). The room also contained a sink that was filled with an unknown dust/pulverized powder material (SAW.5. Inspection Photos: IMG_0646).

Third Level - Hallway

The Third Level hallway floor was observed to be tile and terrazzo with a plaster and painted ceiling like the Main Level, and Second Level (SAW.5. Inspection Photos: IMG_0647).

Third Level – Classroom 302

Classroom 302 is a science lab room. The wall and ceiling plaster was observed to be significantly damaged and flaking with visible dust and friable debris covering the floor (SAW.5. Inspection Photos: IMG_0648, 0649, 0650, 0651, and 0652). The black lab tables are suspect ACM and were covered in a layer of dust and debris (SAW.5. Inspection Photos: IMG_0648 and 0649). A suspect asbestos containing fire blanket was observed in a storage case against the black board at the front of the room (SAW.5. Inspection Photos: IMG_0653).

Third Level – Classroom 301/Library

Peeling and flaking suspect lead-based paint and suspect ACBM plaster was observed in the areas bordering the windows and throughout the ceiling (SAW.5. Inspection Photos: IMG_0654).

Third Level – Classroom 306

Suspect lead-based paint was peeling and flaking and suspect ACBM plaster was observed in the areas bordering the windows and throughout the ceiling (SAW.5. Inspection Photos: IMG_0655 and 0656).

Third Level – Men’s Restroom

The ceiling had significant damage, suspect lead-based paint was observed to be flaking and peeling (SAW.5. Inspection Photos: IMG_0657).

Third Level - Women’s Restroom

The ceiling had significant damage with some suspect ACBM ceiling tiles removed. Holes were observed in the suspect ACBM plaster with flaking

and peeling suspect lead-based paint bordering the pipe elbow (SAW.5. Inspection Photos: IMG_0658).

Third Level – Classroom 309

Extensive damage to the room was observed. A textbook-sized section of suspect friable ACBM ceiling plaster was observed to be dislodged from the ceiling (SAW.5. Inspection Photos: IMG_0659). Large cracks in the wall plaster as well as significant peeling and flaking suspect lead-based paint around the windows was observed (SAW.5. Inspection Photos: IMG_0660 and 0661). The baseboards around the perimeter of the room were observed to be peeling from the wall leaving exposed glue/mastic (SAW.5. Inspection Photos: IMG_0662). At the entrance to the classroom, suspect ACBM black mastic was exposed between the tile and the classroom's carpet (SAW.5. Inspection Photos: IMG_0663).

5. The Inspection walkthrough concluded around 11:45 a.m. (EST). The EPA Representatives and Mr. Williamson left the Third Level and returned to the Teacher's Lounge/Conference Room for the closing conference.
 6. Mr. Williamson was present during the walkthrough of all floors of SAW and the EPA Representatives relayed their observations and concerns to Mr. Williamson while documenting their observations and concerns during the walkthrough.
- E. Closing Conference
1. The closing conference was held in SAW's Teachers' Lounge/Conference Room at 11:51 a.m. (EST) with the EPA Representatives and Mr. Williamson.
 2. Inspector Todd provided Mr. Williamson with the TSCA CBI Form and asked if ACCEL would like to make a TSCA CBI claim during the inspection. Mr. Williamson signed and initialed the form and stated that they will not be making a TSCA CBI claim.
 3. Inspector Todd provided Mr. Williamson with the completed TSCA Receipt for Samples and Documents Form. Mr. Williamson reviewed and signed the form at 11:57 a.m. (EST)(Refer to Attachment SAW.7. Receipt for Samples & Documents).
 4. Inspector Todd offered Mr. Williamson the ability to make copies of the inspection forms. Mr. Williamson made copies of the inspection forms returning the originals to Inspector Todd.
 5. Inspector Brewster provided Mr. Williamson an opportunity to review the 75 inspection photos that were taken. Mr. Williamson declined to review the inspection photos.
 6. Inspector Todd informed Mr. Williamson that the inspection report would be issued within 70 days of the inspection with either one inspection report for all three ACCEL School inspections or three separate reports.
 7. Inspector Todd provided Mr. Williamson a list of follow-up inspection items for

STEAM Academy of Warren:

- a) The contract from SFG for the work conducted in the Southwestern Storage room/Old Kitchen in January of 2024.
 - b) The work order documentation for who removed the boiler gaskets from the boilers on the Lower Level.
 - c) All previous asbestos management plans and related records for SAW.
 - d) All asbestos management plan records for the ACCEL Schools, Youngstown Academy of Excellence, Niles Preparatory Academy, and STEAM Academy of Warren.
8. Inspector Todd asked Mr. Williamson how he would like to receive the inspection report and if it should be sent to anyone else. Mr. Williamson stated that the inspection report should be sent to Roy Berlocker and himself via email.
 9. Inspector Todd confirmed with Mr. Williamson, Roy Berlocker's email: [REDACTED]. Mr. Williamson confirmed that the email address was correct.
 10. Inspector Todd informed Mr. Williamson that due to the size of the document the attachments would not be sent via email, but that they could be requested and sent via the secure file transfer service "GoAnywhere" separately.
 11. Inspector Todd asked Mr. Williamson if he had any questions. Mr. Williamson stated that he did not have any questions regarding the inspection.
 12. The closing conference ended, and the EPA Representatives left the facility at 12:03 p.m. (EST).

F. Post-Inspection Activities

1. On April 5, 2024, following the inspection at YAE (4/2/2024 & 4/3/2024), NPA (4/3/2024) and SAW (4/4/2024) Inspector Todd sent via email a post inspection follow-up email to Mr. Berlocker and Mr. Williamson to request ACCEL's AMP records and Simplified Facilities Group, Inc's work contracts for work performed at SAW (Refer to YAE-Attachment C-1).
2. On April 19, 2024, Mr. Berlocker responded to Inspector Todd's inspection follow-up email and stated that ACCEL was unable to locate AMPs for YAE, NPA and SAW. Mr. Berlocker also provided as attachments to his email the NAES proposals for the AHERA Inspections at YAE, NPA and SAW along with NPA and SAW recent abatement records/notifications from NTWA, LLC. Mr. Berlocker also stated that ACCEL is expected to receive the completed YAE AHERA inspection report conducted by NAES by April 24, 2024 (Refer to YAE-Attachment C-2).
3. On April 22, 2024, Inspector Todd responded to Mr. Berlocker's email requesting ACCEL provide the Simplified Facilities Group, Inc's work contracts for work performed at SAW and NAES inspection reports by April 24, 2024

(Refer to YAE-Attachment C-3)

4. On April 30, 2024, Inspector Todd sent Mr. Berlocker a follow-up email requesting the information noted in his April 22, 2024 email because EPA had not received a response from ACCEL (Refer to YAE-Attachment C-3).
5. On May 2, 2024, Mr. Berlocker responded to Inspector Todd's email and provided the NAES proposal for the AHERA inspection at SAW and the Simplified Facilities Group, Inc work order and invoice for work performed at SAW (Refer to YAE-Attachment C-4).
6. On May 3, 2024, Inspector Todd responded to Mr. Berlocker requesting ACCEL to provide the NAES inspection reports by May 10, 2024 (Refer to YAE-Attachment C-5).
7. On May 10, 2024, Mr. Berlocker responded to Inspector Todd's May 3, 2024 email and provided the NAES AHERA inspection report for YAE (Refer to YAE-Attachment C-6).

VII. **ATTACHMENTS**

- SAW.1. Inspection Sign-in Sheet
- SAW.2. TSCA Notice of Inspection
- SAW.3. TSCA Inspection Confidentiality Notice
- SAW.4. Notice for Toxic Substances Control Act (TSCA) Inspections
- SAW.5. Inspection Photos
- SAW.6. Inspection Photo Log
- SAW.7. Receipt for Samples & Documents



REGION 5
CHICAGO, IL 60604

U.S. EPA Inspector:

**MICHAEL
TODD**

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TODD
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Michael Todd, U.S. EPA Lead Inspector
Pesticides and Toxics Compliance Section
U.S. EPA – Region 5

Supervisor:

Calvo, Estrella

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Estrella Calvo, Supervisor
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