

# Air Pollution Control Division

## Canton City Health Department

420 Market Avenue North • Canton, Ohio • 44702-1544  
(330) 489-3385 • Fax: (330) 489-3335

**James M. Adams, R.S., MPH**  
Health Commissioner

**Daniel J. Aleman, M.S., PE**  
APCD Administrator

**OhioEPA**

APC Contractual Representative  
Serving All of Stark County

**CERTIFIED MAIL**

Monday, June 16, 2008

Joseph A. Jeffries Co. Inc.  
Attn: Mr. Bill Jeffries  
5211 Louisville ST  
Louisville, OH 44641  
Nimishillen Township  
Stark County  
(330) 454-6103

**COPY**

**Re: ADVISORY NOTICE OF THE OHIO ADMINISTRATIVE CODE 3745-17-08 (B);  
AND 3745-15-07**

Dear Mr. Jeffries:

The Canton City Health Department, Air Pollution Control Division (APCD) represents the Ohio EPA in air quality matters within Stark County. As such, APCD employees are charged with the responsibility to investigate and enforce Ohio EPA (OEPA) air pollution regulations. APCD employees are authorized under Ohio Revised Code 3704.03 (L) to enter upon private property to determine if there is noncompliance with OEPA regulations.

This Agency recently received an anonymous complaint alleging emissions of fugitive dust coming from the work performed at the Willig Baseball Fields on 30<sup>th</sup> ST NE in Canton, OH 44705. The purpose of this letter is to inform you of the fugitive dust regulations and controls you **MUST** employ in order to prevent fugitive dust emissions and associated violations. The following regulations should be complied with:

- A) *Ohio Administrative Code (OAC) 3745-15-07* states that the emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property, is hereby found and declared to be a public nuisance. It shall be unlawful for any person to cause, permit or maintain any such public nuisance.
- B) *Ohio Administrative Code (OAC) 3745-17-08 (B)* states that no person shall cause or permit any fugitive dust source to be operated; or any materials to be handled, transported, or stored; or a building or its appurtenances or a road to be used, constructed, altered, repaired, or demolished without taking or installing reasonably available control

measures to prevent fugitive dust from becoming airborne. Such reasonably available control measures shall be utilized which are appropriate to minimize or eliminate visible particulate emissions of fugitive dust.

Please see the enclosed copy of OAC 3745-17-08. Subsection (1) refers to the use of water or other suitable dust suppression chemicals for the control of fugitive dust from the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;

At this point, this agency is requesting that any future operations utilize some form of effective control of fugitive dust to limit the dust to no more than a 20 % average opacity level. Should this Agency detect further violations at this facility involving fugitive dust sources as outlined here, an enforcement action request with the State that may be initiated which could result in fines.

Should you have any questions concerning this letter or any of the enclosed regulations, please contact me at (330) 489-3385.

Sincerely,



Denny Tan

Staff Field Inspector II  
Air Pollution Control Division  
Canton City Health Department

Enc:

- 1) OAC 3745-15-07 Air Pollution Nuisances Prohibited.
- 2) OAC 3745-17-08 Restriction of emission of fugitive dust.

Pc:

- 1) Addressee via Certified mail.
- 2) Correspondence file, June 2008.
- 3) Fugitive dust sources file.

DT/dt

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Sent To: JOSEPH A JEFFERIES CO INC  
 Street, Apt. No., or PO Box No.: ATTN BILL JEFFERIES  
 5211 LOUISVILLE ST  
 City, State, ZIP+4: LOUISVILLE OH 44641

PS Form 3800, August 2006 See Reverse for Instructions

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JOSEPH A JEFFERIES CO INC  
 ATTN BILL JEFFERIES  
 5211 LOUISVILLE ST  
 LOUISVILLE OH 44641

2. Article Number  
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 X *Gary L. Joseph*  Addressee

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 Gary L. Joseph

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