



AKRON REGIONAL
AIR QUALITY MANAGEMENT DISTRICT

Agent of the Ohio Environmental Protection Agency • Division of the Akron Health Department
Serving Medina, Portage and Summit Counties

TELEPHONE: (330) 375-2480
FAX: (330) 375-2402

L. M. Malcolm, P.E.
Administrator

June 14, 2007

Mr. Aaron Gallagher, Owner
Gallagher Masonry
3144 Whipple Drive
Norton, OH 44203

Mr. Gallagher:

You are hereby cited for violations of the Ohio Administrative Code section 3745-17-08 (B)(1) (Fugitive Dust) and Barberton City Code Chapter 610.01. These violations have occurred on your jobsite at the Barberton Community Center, Third Street NW & W. Hopocan Avenue in the City of Barberton (Summit County).

On April 7, 2007, an inspector from the Akron Regional Air Quality Management District observed excessive fugitive dust being generated at the Barberton Community Center jobsite. The dust was the result of saw cutting cement block without water to suppress the dust. At this time, contact was made, the fugitive dust regulations were explained, and a written order to "cease and desist" all illegal sawing/cutting activities was issued.

On June 12, 2007, an inspector again observed fugitive dust at the Barberton Community Center jobsite, as a result of saw cutting cement block without the use of water.

In light of this most recent violation, you are urged to take appropriate steps to be sure that no further illegal generation of fugitive dust occurs on this jobsite or any others. **Within fifteen days of receipt of this letter, please submit a written commitment to cease all further illegal generation of fugitive dust.**

Acceptance by this Agency of your commitment does not constitute a waiver of this Agency's authority to seek civil penalties as provided in the Barberton City Code Chapter 610, or to refer the matter to the Ohio EPA for their enforcement action (including imposition of civil penalties). The determination to pursue or to decline to pursue such penalties will be made at a later date.

If you have any questions regarding this matter, please contact me at 330/375-2480 ext 6051.

Yours truly,

L. M. Malcolm, PE
Administrator

BKG:LMM
Certified Mail
Enclosure

CITICENTER - SUITE 904

146 SOUTH HIGH STREET • AKRON, OHIO 44308

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