



**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**

February 27, 2008

Mr. George Wischt Jr.
George Wischt & Sons Construction Inc.
881 Tallmadge Road
Kent, OH 44240

Dear Mr. Wischt:

You are hereby cited for violations of Ohio Administrative Code section 3745-17-08 (B)(1) (Fugitive Dust) and Air Pollution Control Regulation 97.18 as adopted in Resolution 91.01 of the Portage County Board of Health. The violations have occurred on your jobsite at 250 Tallmadge Road in Brimfield Township (Portage County).

On February 2, 2008, our office received a complaint regarding excessive dust at the jobsite located at 250 Tallmadge Road in Brimfield Township. On February 5, 2008, an inspector from the Akron Regional Air Quality Management District (ARAQMD) investigated the complaint and found workers from George Wischt & Sons Construction Inc. sawing masonry without water or any method of dust control/minimization. You (George Wischt) were contacted onsite, the fugitive dust regulations were explained, and a written "order to comply" was issued. During a follow-up visit on February 25, 2008, an inspector from our office again observed workers from George Wischt & Sons Construction Inc. sawing masonry without dust control at this site.

In light of these violations and non-compliance with Ohio Administrative Code section 3745-17-08 (B)(1) (Fugitive Dust) and Air Pollution Control Regulation 97.18 of the Portage County Board of Health, 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 wherein you are employed. **Within seven (7) days of receipt of this letter, please submit a written commitment to cease all further illegal generation of fugitive dust and a detailed description of the dust control measures you will be utilizing.**

Acceptance by this Agency of your commitment does not constitute a waiver of this Agency's authority to seek civil penalties as provided in Air Pollution Control Regulation 97.29 of the Portage County Board of Health 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 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
Enclosures (Winter Fugitive Dust Control Letter & Fugitive Dust Regulations)

**CITICENTER - SUITE 904
146 SOUTH HIGH STREET • AKRON, OHIO 44308
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