



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

September 19, 2007

Mr. Lawrence Griebel, President  
Duer Construction Inc.  
1016 Morse Street  
Akron, OH 44320

Dear Mr. Griebel:

You are hereby cited for violations of the Ohio Administrative Code section 3745-17-08 (B)(1) (Fugitive Dust) and Title 9, Section 97.01 of the Akron Code of Ordinances and Summit County Health Code Part 20 Paragraph 97.01. These violations have occurred on your job sites at Forest Hill and Robinson Elementary Schools, 168 E. Market Street (all in the city of Akron) and at the Rite Aid site on East Avenue in the city of Tallmadge (Summit County).

In addition to the violations contained in the Notice of Violation letters of May 9, 2007, July 13, 2007, and September 19, 2007, the following violations have also been documented:

**July 23, 2007** - Workers from Duer were observed sawing masonry without water or dust control at the Rite Aid job site on East Avenue in the city of Tallmadge (Summit County).

**July 25, 2007** - Two workers from Duer Construction were observed sawing masonry, without water or dust control, simultaneously at the Rite Aid job site in the city of Tallmadge. Written orders were issued at this time to a representative (Richard) from Duer Construction.

**August 22, 2007** - An inspector from the Akron Regional Air Quality Management District observed a worker from Duer Construction sawing brick outside in front of 168 E. Market Street in the city of Akron. Written orders were issued at this time to a representative (John Duer) from Duer Construction.

CITICENTER - SUITE 904

146 SOUTH HIGH STREET • AKRON, OHIO 44308

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Mr. Lawrence Griebel, President  
Page 2  
September 19, 2007

In light of the continued violations and non-compliance with the Ohio Administrative Code section 3745-17-08 (B) (1) (Fugitive Dust) and Title 9, Section 97.18 of the Akron Code of Ordinances, you are urged to take appropriate steps to be sure that no further illegal generation of fugitive dust occurs on these job sites 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 Title 9, Section 97.18 of the Akron Code of Ordinances, 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 extension 6051.

Yours truly,



L. M. Malcolm, PE  
Administrator

BKG:LMM

Certified Mail

cc Tom Kalman, Ohio EPA  
Mike Mereb, Ohio EPA