



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

May 24, 2007

Mr. Randy Eiler, Director of Construction  
Deville Developments  
3951 Convenience Circle NW, Suite 301  
Canton, OH 44718

Dear Mr. Eiler:

You are hereby cited for violations of the Ohio Administrative Code section 3745-17-08 (Fugitive Dust) and Summit Health Code Part 20 Paragraph 97.01. These violations have occurred at your jobsite at 3200 S. Arlington Road in Springfield Township (Summit County).

On May 15, 2007, an inspector from the Akron Regional Air Quality Management District investigated a complaint regarding fugitive dust at the Arlington Ridge Marketplace on S. Arlington Road in Springfield Township. The inspector observed excessive fugitive dust as a result of various construction activities, and no water or other dust suppression methods being used. You were contacted at the site, the fugitive dust regulations were explained, and verbal orders to control the fugitive dust were given to you. You also assured the inspector that a water truck would be on site later in the day (5/15/07).

On May 22, 2007, the inspector again observed a large amount of fugitive dust being generated at the above-mentioned jobsite with no dust suppression methods being utilized. The inspector spoke with Mr. Robert Brown of your company, via phone, and he stated that a water truck would be on site the next morning (5/23/07).

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 (15) 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 Summit County Health Code Part 20, 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

CITICENTER - SUITE 904

146 SOUTH HIGH STREET • AKRON, OHIO 44308

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LMM  
Certified Mail  
Enclosure