



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

Frank J. Markunas
~~L.M. Matecom, P.E.~~
Administrator

February 8, 2010

Mr. William Pustelak
Pustelak Masonry
9070 Peach Street, Suite 2
Waterford, PA 16441

Dear Mr. Pustelak:

You are hereby cited for violations of the Ohio Administrative Code section 3745-17-08 (B)(1) (Fugitive Dust). The aforementioned violations occurred on the Ravenna High School jobsite in Ravenna, Ohio (Portage County).

On August 20, 2009, an inspector from the Akron Regional Air Quality Management District (ARAQMD) observed workers from Pustelak Masonry sawing brick without dust control. At this time, two "quickie" saws and one chop saw were operating without dust control. Contact was made with Frank and Greg, both employees of Pustelak Masonry. The Ohio Administrative Code section 3745-17-08 (B)(1) was explained, copies were provided, and written orders were issued.

On August 28, 2009, an inspector from the ARAQMD observed dust in the courtyard area where Pustelak Masonry employees were working and observed a saw onsite. Contact was made with Greg and Frank. No sawing occurred while the inspector was present in the courtyard area.

On September 3, 2009, an inspector from the ARAQMD observed dust from the sawing of block. A Pustelak Masonry worker hooked up a water canister to the "quickie" saw as the inspector talked to Greg, also of Pustelak Masonry. Greg stated that Pustelak is trying to comply, but doesn't have water on every saw. Written orders were given to Greg from Pustelak on the following day for the September 3, 2009, violation.

On November 16, 2009, an inspector from the ARAQMD observed Pustelak Masonry employees sawing block on a table saw without dust control. Water was not being used with the saw as shown in photos taken at this time. Verbal orders to comply were given to Ray Giambrone for Pustelak Masonry. Pustelak Masonry is a sub-contractor for Giambrone Masonry Inc.

CITICENTER - SUITE 904

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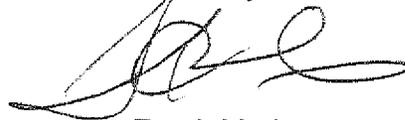
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In light of these violations and non-compliance with Ohio Administrative Code section 3745-17-08 (B)(1) (Fugitive Dust), you are urged to take appropriate steps to be sure that no further illegal generation of fugitive dust occurs on this jobsite or 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 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, please contact Bonetta Guyette at 330/375-2480 ext 6055.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank Markunas', with a long horizontal flourish extending to the right.

Frank Markunas
Administrator

BKG:FM
Certified Mail
Enclosure