



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 17, 2009

Mr. James Valentine, President  
Valentine Contractors  
7680 Whipple Avenue NW  
North Canton, OH 44720

Dear Mr. Valentine:

You are hereby cited for violations of the Ohio Administrative Code (OAC) section 3745-17-08 (B)(1) (Fugitive Dust) and Title 9 Section 97.01 of the Akron Code of Ordinances.

On May 30, 2008 an inspector from Akron Regional Air Quality Management District (ARAQMD) observed excessive fugitive dust being generated by the sawing of block without dust control. A copy and explanation of OAC regulation 3745-17-08 were provided, along with an Order to Comply, to Tim VanDyne (foreman) of Valentine Contractors. This violation occurred at the Akrochem facility on Huntington Avenue in the city of Akron.

On June 6, 2008 an inspector from ARAQMD observed excessive fugitive dust being generated by the sawing of block without dust control. Written orders were again issued to Tim VanDyne. This violation also occurred at the Akrochem facility.

On June 11, 2009 a complaint was received regarding excessive fugitive dust being generated by sawing without dust control. During the inspection on June 15, 2009 an inspector from ARAQMD observed excessive fugitive dust being generated by the sawing of stone without dust control. Written orders were given to Patrick Sponseller of Valentine Contractors. This violation occurred at the Howe House project on West Exchange Street in the city of Akron.

In light of the continued violations and non-compliance with Ohio Administrative Code section 3745-17-08 (B)(1) (Fugitive Dust) and Title 9 Section 97.01 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 jobsites 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 97.01 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, please contact Bonetta Guyette at 330/375-2480 ext 6055.

Sincerely,

Frank Markunas  
Chief Engineer

BKG:FJM  
Certified Mail  
Enclosure

CITICENTER - SUITE 904

146 SOUTH HIGH STREET • AKRON, OHIO 44308

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