

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 29, 2011

Mr. William Scala
Owner/President
Kenmore Construction Co., Inc.
700 Home Avenue
Akron, Ohio 44310

To Mr. Scala:

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.

On June 29, 2011 an inspector from Akron Regional Air Quality Management District (ARAQMD), observed excessive fugitive dust being generated by the sanding (grinding) of concrete without the benefit of dust control. This illegal act was being done on the sidewalk area behind The Spaghetti Warehouse at 520 S. Main Street in Akron, Ohio (Summit County). The Ohio Administrative Code 3745-17-08 (B) (1) was explained and a written order to comply was issued to the Kenmore Construction Supervisor at this job site.

In light of this violation 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 this jobsite or any others wherein you are employed. **Within seven 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 control measures you will be using.**

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, please contact Debbie Wallen at 330/375-2480 ext 6055

CITICENTER - SUITE 904
146 SOUTH HIGH STREET • AKRON, OHIO 44308
An equal opportunity employer and provider of services - CRA 1964

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Hasenyager". The signature is fluid and cursive, with the first name being particularly prominent.

Robert Hasenyager
Administrator

Certified Mail
Enclosure