



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

July 14, 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).

On July 13, 2011 staff members from Akron Regional Air Quality Management District (ARAQMD), observed excessive fugitive dust being generated by the cutting of concrete without the benefit of dust control. This illegal act was being done on the sidewalk – curb area of Empire Parkway near the intersection of Empire Parkway and Highland Road in Macedonia (Summit County).

In light of this violation and non-compliance with the 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 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

Respectfully,

Robert Hasenyager  
Administrator

CITICENTER - SUITE 904

Certified Mail

146 SOUTH HIGH STREET • AKRON, OHIO 44308

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