



State of Ohio Environmental Protection Agency

Southeast District Office

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www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

October 26, 2007

Re: Vinton County
Village of Hamden
Fugitive Dust from Roadway/Sewer Project
Warning Letter
Certified: 70063450000190561454

The Honorable Mayor Gary Eberts
Village of Hamden
P.O. Box 355
Hamden, OH 45634

Dear Mayor Eberts:

On August 4, 2006, the Village of Hamden was issued Permit to Install 06-07996. Page 4 of the permit terms and conditions specifies that fugitive dust emissions from the sewer construction project will be controlled in accordance with OAC rule 3745-17-08(B).

Based on the complaints received and the observations made, it is apparent that dust controls have not been adequately implemented. James and Sons, the contractor at the job, indicated that a base coat of pavement is scheduled to be applied by the end of October, 2007. This should alleviate most of the current problem areas but, until the project is fully completed, dust control methods must be effectively implemented.

If the application of the base coat of asphalt is not completed by October 31, 2007, the Village of Hamden shall submit a plan and schedule by November 16, 2007, to fully control fugitive dust emissions until the project is completed. The plan should include a list of the corrective actions that will be used to control fugitive dust emissions every day (not just on work days).

Acceptance by the Ohio EPA of a plan and schedule for compliance does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or decline to pursue such penalties in this case will be made by the Ohio EPA at a later date.

If you are unable to respond to any part of this request, within the time frame discussed above, please inform us and explain so that we may be of assistance. Should you have any questions, feel free to contact me at (740) 380-5424.

Sincerely,

Steve Alspach
Environmental Specialist II
Division of Air Pollution Control

SA/mlm

cc: Bruce Weinberg, DAPC/SEDO
Zach Hamlin, DAPC/SEDO
Tim Campbell, DSW/SEDO
Gary Silcott, R.D. Zandee Associates, Inc.