



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490  
www.epa.state.oh.us

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

April 30, 2010

Re: Guernsey County  
Road Dust  
Complaint 30001292

Certified: 70063450000190558782

The Honorable Dan Gadd  
Mayor of Byesville  
P.O. Box 8  
Byesville, Ohio 43723-0008

Dear Mayor Gadd:

I am writing this letter in reference to a complaint our office received regarding dust impacting the residents on 1<sup>st</sup> Street, near the area of Guernsey Scrap Metal, in Byesville.

On March 30, 2010, I investigated this complaint. The road appears to be heavily travelled by large trucks and other vehicles entering and exiting Guernsey Scrap Metal's facility. The street has large pot holes and the berm on both sides of the street is dirt. If two vehicles are passing near the entrance of the scrap yard, one would have to drive on the berm of the street. I observed dust caused by traffic during my visit.

I spoke to Mr. Randy Mercer about the dust issues. He referred me to you and requested that I write a letter to the city. I have tried to call your office, but have not been able to reach anyone at that number.

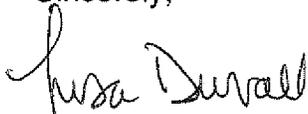
Ohio Administrative Code Rule 3745-15-07 prohibits air pollution nuisances. The rule reads, in part, "the emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property, is hereby found and declared to be a public nuisance. It shall be unlawful for any person to cause, permit or maintain any such public nuisance."

I am requesting a written response from you, within 10 days of receipt of this letter, that includes a plan and schedule for controlling the dust emissions from this roadway.

The Honorable Dan Gadd  
April 30, 2010  
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If you have any questions regarding this matter, please contact me at this office at 740-380-5217 or 1-800-686-7330.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/mlm