



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

June 8, 2012

Re: Washington County
Fugitive Dust
Complaint 30002320

Mr. Todd Stockel
The City of Marietta
301 Putnam Street
Marietta, Ohio 45750

Dear Mr. Stockel:

I am writing this letter in reference to a complaint of fugitive dust emissions impacting the residents that live near the Alderman Street city garage.

On May 1, 2012, I investigated this complaint and spoke to you at the Marietta City Garage. Street sweepings from Marietta have been dumped at the city garage and a portion of the pile had been there long enough that vegetation was growing on the backside of the pile. There is a dumpster on site and the sweepings are being loaded into the dumpster and hauled to the landfill. The dust appears to be caused by road traffic in front of the pile and the fan on the loader when the sweepings are being loaded into the dumpster. I suggested using water to wet the roadway and the area where you are disturbing the pile when loading.

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." The fugitive dust emissions from this site and clean-up of the pile do not appear to be creating a dust nuisance at this time but has the potential to become a nuisance if the materials were to accumulate on this site.

Please provide a written response, within 10 days of receipt of this letter, which includes a plan and schedule for controlling the fugitive dust emissions at the Marietta City Garage.

If you have any questions regarding this matter, please contact me at this office at 740-380-5217 or 1-800-686-7330.

Sincerely,

Lisa Duvall
Environmental Specialist
Division of Air Pollution Control

LD/cs

cc: Christina Weig-DAPC