



**Environmental
Protection Agency**

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

July 27, 2012

Re: Belmont County
Road Dust
Complaint 30002429

Certified: 70102780000197044602

Sunbury Township Trustees
Ms. Connie Carpenter
51764 Main Street
Jerusalem, Ohio 43747

Dear Ms. Carpenter and Trustees:

I am writing this letter in reference to complaints of road dust impacting a resident on Trembly Ridge Road, Bealsville, Monroe County. Mr. Saffell, the complainant lives at 51590 Trembly Ridge Road.

On July 18, 2012, I investigated this complaint. The chip and seal roadway in front of Mr. Saffell's house was dug up for road repairs. Dirt and gravel was used to fill in the road and chip and seal was not reapplied to this section of the road. Mr. Saffell is reporting that he has health issues and dust from the roadway is aggravating his condition. During my investigation three to four vehicles travelled by and created a substantial amount of dust.

I spoke to Trustee Hoover in regards to this complaint on July 6, 2012, and July 19, 2012. It is my understanding that the road has been scheduled for dust control this month, but storm damage cleanup and other scheduling issues delayed the application of dust control.

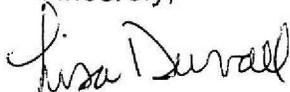
Ohio Administrative Code rule 3745-15-07 prohibits air pollution nuisances. The rule reads, in part, "the emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combinations of substances, 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 dust emissions from Trembly Ridge Road near affected homes are excessive and measures need to be taken to address the road dust emissions before they create a nuisance condition.

Please provide a written response within 10 days of receipt of this letter that includes a plan and schedule for controlling the dust emissions from this area of Trembly Ridge Road or the date that the dust control was applied.

Ms Carpenter and Trustees
Trembly Ridge Road, Monroe Co.
July 27, 2012
Page 2

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/cs