



**Environmental
Protection Agency**

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

March 29, 2012

Re: Belmont County
Road Dust
Complaint 30002241

Certified: 70102780000197044060

Mr. Bill Arnholt
Northwood Inc.
941 Chatham Lane
Suite 100
Columbus, Ohio 43221

Dear Mr. Arnholt:

I am writing this letter in reference to complaints of road dust impacting the residents on Boston Road, Somerset Township, Belmont County. This is a county road that has a large amount of truck traffic from an oil and gas well site that was developed in the area. It is my understanding from Mr. Mike Wahl of the Belmont County Engineers Office that your company has an agreement with Belmont County to implement dust control measures because of the increased truck traffic associated with the well site.

On March 7, 2012, I investigated this complaint. Gravel had been recently placed on the unpaved section just before and past 53354 Boston Road. When a truck carrying fluids from the well site passed my vehicle on Boston Road, I could not see through the dust. The residents of 53354 Boston Road live in the valley between the two hills and get dust impact from both sides. Based upon my observations, no dust control measures have been employed on Boston Road.

I spoke to you on March 14, 2012 and informed you of the March 7, 2012 complaint and my observations. You told me that you would speak to your contractor in regard to dust control measures. You later called me back and told me that water would be used in the short term to control the dust and a longer term solution would be developed.

On March 19, 2012, the Ohio EPA received another complaint regarding excessive dust on Boston Road. The complainant informed me that no water had been applied to the road and the dust over the weekend had been very bad. I then called you. You were not aware of what measures, if any, had been taken to control the dust from the roadway. At that time, I requested that you make inquiries as to what had been done to control the dust emissions.

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

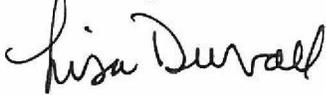
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cause, permit or maintain any such public nuisance." The dust emissions from Boston Road near affected homes are excessive and measures need to be taken to address the road dust emissions before they create a nuisance condition.

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 and the development of a log book to document the road conditions as well as the date, time and type of control measure employed to control the dust on a daily basis.

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: Mr. Bennett, Belmont County Engineer, 101 West Main St., Court House, St.
Clairsville, Ohio 43950
Dean Ponchak, DAPC, SEDO
Bruce Weinberg, DAPC, SEDO