

A RESOLUTION OF THE
BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY
APPROVING THE FILING OF A VERIFIED COMPLAINT
WITH THE STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Commissioner Seldenright moved to adopt the following resolution:

WHEREAS, RC 3745.08 authorizes the filing of a Verified Complaint with respect to alleged violations of Ohio's environmental laws, with the State of Ohio Environmental Protection Agency ("Ohio EPA") in order to commence an investigation with respect to alleged violations of Ohio's environmental laws; and

WHEREAS, the Board of Commissioners have received numerous telephone calls and complaints relating to the odors being emitted by Countywide Recycling and Disposal Facility, which odors have been emitted into Tuscarawas County; and

WHEREAS, Ohio Administrative Code Section 3745-15-01(c) and (d) define "air pollutant", "air contaminate" and "air pollution" to include vapor or odorous substances which interfere with the comfortable enjoyment of life or property and RC 3745.15.07 prohibits air pollution nuisances; and

WHEREAS, the Board of County Commissioners is of the opinion that the vapor or odorous substances being emitted from the Countywide Recycling and Disposal Facility interfere with the comfortable enjoyment of life or property and may constitute "air pollution" and violates the above cited Administrative Code provisions together with the final permit to install issued to such facility by the State of Ohio Environmental Protection Agency and the final Title V permit issued to such facility, justifying the filing of a Verified Complaint;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Tuscarawas County as follows:

That the Board of County Commissioners shall file a Verified Complaint with the Ohio EPA pursuant to RC 3745.08 as set forth in Exhibit "A" attached.

This resolution was seconded by Commissioner Abbuhl.

Vote:

_____ Yes
Kerry Metzger

_____ Yes
Chris Abbuhl

_____ Yes
Jim Seldenright