

PUBLIC NOTICE

OHIO ENVIRONMENTAL PROTECTION AGENCY DIVISION OF DRINKING AND GROUND WATERS

Notice of Rescission of Guidance Pertaining to the Underground Injection Control Program

Notice is hereby given that the Ohio Environmental Protection Agency has rescinded final guidance document GD0813.028 issued by the Division of Drinking and Ground Waters on 1/18/91 concerning Best Management Practices Plan (BMPP) Guidance for Class V 5X28 Automotive Service Facility Waste Disposal Wells. The BMPP guidance addressed by this document is banned per Rule 3745 - 34 -13 of the Ohio Administrative Code.

PUBLIC NOTICE

OHIO ENVIRONMENTAL PROTECTION AGENCY DIVISION OF DRINKING AND GROUND WATERS

Notice of Rescission of Guidance Pertaining to the Underground Injection Control Program

Notice is hereby given that the Ohio Environmental Protection Agency has rescinded final guidance document GD0813.100 issued by the Division of Drinking and Ground Waters on 1/4/91 concerning Guidance for Seismic Reflection Data Studies. Guidance addressed by this document is addressed in Rule 3745 - 34 - 40 of the Ohio Administrative Code.

**State of Ohio
Environmental Protection Agency
Notice of Adoption of Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted three amended rules for the Division of Air Pollution Control, 3745-101-02 (Definitions), 3745-101-07 (Criteria and procedures for conformity determination, assumptions, emissions model, and consultation), and 3745-101-18 (Exempt projects).

The primary purpose of this rulemaking was to amend the rules so that they more closely mirrored the federal rules and to request that these rules be exempt from the five-year review requirement.

A public hearing on this rule review and issuance of amended rules was conducted on March 14, 2002, in Columbus, Ohio. There were no comments received.

The Director's order of adoption was issued on September 12, 2002. The effective date of these rules is September 23, 2002.

To request a copy of these rules or the Response to Comments, to obtain further information, or to inspect or request copies of agency files and records pertaining to the proceeding, contact Mike Hopkins, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Hopkins at 614-644-3611. These rules are also available electronically at <http://www.epa.state.oh.us/dapc/dapcmain.html> under "regulations" in the "Topics" drop-down box.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action, at 236 East Town Street, Room 300, Columbus, Ohio 43215. Copies of the appeal must be served upon the Director of the Ohio EPA within three (3) days of filing with ERAC. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.

**State of Ohio
Environmental Protection Agency
Notice of Adoption of Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted two amended rules for the Division of Air Pollution Control, 3745-23-01 (Ambient air quality standards) and 3745-23-02 (Methods of measurement).

The primary purpose of this rulemaking was to amend the rules so that they more closely mirrored the federal rules.

A public hearing on this rule review and issuance of amended rules was conducted on February 22, 2002, in Columbus, Ohio. There were no comments received.

The Director's order of adoption was issued on September 12, 2002. The effective date of these rules is September 23, 2002

To request a copy of these rules or the Response to Comments, to obtain further information, or to inspect or request copies of agency files and records pertaining to the proceeding, contact Gary Engler, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Engler at 614-644-3623. These rules are also available electronically at <http://www.epa.state.oh.us/dapc/dapcmain.html> under "regulations" in the "Topics" drop-down box.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action, at 236 East Town Street, Room 300, Columbus, Ohio 43215. Copies of the appeal must be served upon the Director of the Ohio EPA within three (3) days of filing with ERAC. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's and Office.

PUBLIC NOTICE

MODIFIED FINAL FINDINGS AND ORDERS Glacier Daido America, LLC - Bellefontaine Facility

Notice is hereby given that on September 4, 2002, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), issued modified Final Findings and Orders to Glacier Daido America, LLC for the facility located at 1215 Greenwood Street in Bellefontaine, Ohio (the "Facility"). The modified Orders extend the deadline established in Director's Final Findings and Orders issued on July 8, 2002 for Glacier Daido America to submit: (a) the Elmore's Pond Work Plan until thirty (30) days after Ohio EPA's comments on an April 24, 2002 Elmore's Pond Investigation Summary and Baseline Risk Assessment; and (b) the Contaminant Sources Work Plan until August 22, 2002.

Glacier Daido informed Ohio EPA of elevated levels of lead and copper in the soil at and adjacent to the Facility while performing due diligence in connection with its purchase of the Facility. Under the Orders, Glacier Daido has agreed to investigate and remediate contaminated soil and sediment at and adjacent to the Facility.

The issuance of the Final Findings and Orders is a final action of the Director. The action may be appealed to the Environmental Review Appeals Commission ("Commission") by any person aggrieved or adversely affected. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. (See ORC 3745.04 and 3745.07). A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 236 East Town Street, Room 300, Columbus, Ohio 43215.

If you would like to review a copy of the Final Findings and Orders, please contact the Records Management Officer, Ohio EPA, Division of Emergency and Remedial Response, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE

DIRECTOR'S FINAL FINDINGS AND ORDERS

Notice is hereby given on September 9, 2002, that the director of Ohio EPA issued unilateral Final Findings and Orders to Robert G. Keller (Respondent), 410 Woodlawn Drive, Wapakoneta, OH 45895. Respondent is the owner of property located South of St. Johns, at the intersection of Geyer Road and Indian & Ohio Rail Road, Auglaize County, Wapakoneta, Ohio (Facility). Pursuant to ORC Chapter 3734, Respondent shall implement mosquito control measures at the Facility in accordance with the provisions of OAC Rule 3745-27-60 and shall provide copies of the requisite mosquito control records to Ohio EPA within 10 days after each application of the registered pesticide or larvicide. On or before December 2, 2002, Respondent shall establish storage piles and fire lanes at the Facility. On or before March 3, 2003, Respondent shall remove all scrap tires from the Facility including, but not limited to, scrap tires dumped onto the ground and/or buried scrap tires and shall arrange for their transportation, by a registered transporter, to an authorized scrap tire facility. Respondent shall obtain receipts from the registered transporter and the authorized scrap tire facility indicating weight, volume and number of scrap tires disposed and shall forward such documentation to Ohio EPA within (7) seven days of completion of this Order No. 3. These orders are subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

Harrison County

Ohio EPA PTI No. 06-6875

Ohio Environmental Protection Agency Draft Permit to Install

PUBLIC NOTICE

Draft Permit to Install for wastewater treatment and/or disposal facilities

Ohio Environmental Protection Agency
Permits Section
122 South Front Street
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2001

Public Notice No. OEPA 02-09-031 PTI
Date of Issue of Public Notice: September 13, 2002

Name and Address of Applicant: Fuel Cell Energy, Inc., 3 Great Pasture Road, Danbury, CT 06813

Name and Address of Facility Where Discharge Occurs: Fuel Cell Demonstration on Coal Mine Methane, 1/2 mile south of Hopedale on the westside of County Road 14, Green Township, Ohio, Harrison County

Receiving Water: unnamed tributary to Piney Fork

Public notice is hereby given that Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has issued a draft permit-to-install (PTI) for the construction of the wastewater treatment works/disposal system for the above referenced project. Ohio EPA has made a determination that the wastewater discharge from this proposed facility would result in degradation to or lowering of the water quality of unnamed tributary to Piney Fork and subsequently Piney Fork. After considering the technical, economic, and social aspects of this project, the Director of the Ohio EPA has decided to make the preliminary determination to allow this degradation. However, the chemical-specific water quality standards developed to protect aquatic life and human health, set forth in Ohio Administrative Code (OAC) 3745-1, will not be exceeded.

In accordance with OAC 3745-1-05, Ohio EPA will provide an opportunity for public comment concerning this project. Comments received shall be considered by the Director before the permit is issued as final. Any person may submit written comments on the draft permit and administrative record and may request a public hearing. A request for public

hearing shall be in writing and shall state the nature of the issues to be raised. In appropriate cases, including cases where there is significant public interest, the director may hold a public hearing on a draft permit or permits prior to final issuance of the permit or permits. Written comments and/or public hearing requests must be received by the Ohio EPA, Division of Surface Water no later than 30 days from the date of this public notice. Comments and/or public hearing requests should be delivered or mailed to both of the following locations: 1) Ohio Environmental Protection Agency, Division of Surface Water, Permits Processing Unit, 122 South Front Street, P.O. Box 1049, Columbus, Ohio 43216 and 2) Ohio Environmental Protection Agency, Southeast District Office, 2195 Front Street, Logan, Ohio 43138. Comments received after this date may not be considered by the Director before issuing the final permit.

Copies of the draft Permit to Install and technical support information may be reviewed and/or copies made at Ohio EPA Southeast District Office, 2195 Front Street, Logan, Ohio 43138, by first calling (740) 385-8501, to make an appointment.

PUBLIC NOTICE

Notice is hereby given that on September 13, 2002 the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit (Level 3) to the City of Mentor, 8500 Civic Center Boulevard, Mentor, Ohio 44060. The permit was issued for a project to construct two grade separations between Heisley Road and CSX and Norfolk Southern railroad tracks. This permit was issued as a final action, and may be appealed to the Environmental Review Appeals Commission (ERAC), pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC at 236 East Town Street, Room 300, Columbus, Ohio 43215 within 30 days of issuance of this final action.

PUBLIC NOTICE

OHIO EPA RECEIVES AMENDED HAZARDOUS WASTE CLOSURE PLAN

On September 3, 2002, Ohio EPA received an amended hazardous waste closure plan from the Parker Hannifin Corporation (Parker Hannifin) for its surface impoundment disposal unit located at 11197 U.S. Route 23, Waverly, Ohio 45690. The EPA Identification Number for this facility is OHD046426409.

Why is Parker Hannifin Submitting this Amended Closure Plan?

In response to Ohio EPA's December 27, 2000 Final Findings and Orders, the Parker Hannifin submitted this closure plan. The amended plan consists of a groundwater recovery and treatment remedial design for the Plume Management Area and provides the design for an engineered corrective action that will prevent off-site migration of groundwater.

When and how do I submit written comments about this Amended Closure Plan?

You can submit written comments anytime between September 18 and October 17, 2002. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail address: dhwmcomments@epa.state.oh.us.

Where can I review the Amended Closure Plan?

You can review the Closure Plan at the following locations:

Garnet A. Wilson Public Library, 207 North Market Street, Waverly, Ohio 45690, tel: (740) 947-4921,

Ohio EPA, Southeast District Office, 2195 Front Street, Logan, Ohio 43138, tel: (740) 385-8501,

Ohio EPA, Division of Hazardous Waste Management, 122 South Front Street, Columbus, Ohio 43215 (614) 644-2977.

Date of Public Notice: September 16, 2002

Portage County

**PUBLIC NOTICE
Notice of Receipt of Public Application
Antidegradation**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has received an application for a permit to install (PTI), application number 02-16878, and an application for the initial issuance of a National Pollutant Discharge Elimination System (NPDES) permit 3PH00059 for the discharge from the proposed Randolph Wastewater Treatment Plant disposal system. The applications were submitted by Portage County Board of Commissioners, 449 South Meridian Street, Ravenna, OH 44266.

The applications submitted for approval propose to treat 300,000 gallons per day of sanitary wastewater. The disposal system is proposed to be located at State Route 44, Randolph Twp., Portage, Ohio. Treated wastewaters are to be discharged into Congress Lake Outlet.

The discharge from this facility, if approved, would result in degradation to, or lowering of, the water quality of Congress Lake Outlet. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1-07, will not be exceeded. In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality.

As outlined by section 3745-1-05 (D) (3) of the antidegradation rule (effective as of October 1, 1996), the application(s) specified above will consider the project to be waived from certain information. The requested waiver has not been reviewed or granted by the Ohio EPA at this time.

Copies of the pending NPDES and PTI applications are available for review at Ohio EPA's Northeast District Office, 2110 E. Aurora Road, Twinsburg, Ohio, (330) 963-1200. Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, or 2) submit comments for Ohio EPA's consideration in reviewing the application, or 3) request a public hearing must do so in writing to Ohio EPA's Division of Surface Water, Attention: Permits Processing Unit, PO Box 1049 Columbus, Ohio, 43216, within thirty days of the date of this public notice.

Date of Notice: September 16, 2002

Richland County

**PUBLIC NOTICE
NOTICE OF RECEIPT OF APPLICATION
ANTIDegradation**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has received an application for the renewal of a National Pollutant Discharge Elimination System (NPDES) permit (2PV00700) for the discharge from the existing Hillside Mobile Home Park disposal system. The NPDES permit application was submitted by Hillside Mobile Home Park, 7702 Diagonal Road, Kent, Ohio 44240.

Hillside Mobile Home Park's preferred wastewater disposal alternative submitted for approval is proposed to treat 17,000 gallons per day of sewage wastewaters. The disposal system is located at 2075 Ashland Road, Mifflin Township, Richland County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to Fleming Falls Creek and subsequently to the Black Fork Mohican River.

Other wastewater disposal alternatives resulting in lesser or no degradation or lowering of water quality will be considered by Ohio EPA.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of Fleming Falls Creek and subsequently the Black Fork Mohican River. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1, will not be exceeded. In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality.

The contents of the above stated application indicates no exclusions or waivers, as outlined by section 3745-1-05 (D) of the antidegradation rule (effective as of October 1, 1996), apply or may be granted by the Director of Ohio EPA.

Copies of the pending NPDES applications are available for review at Ohio EPA's Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio, (419) 352-8461 or (800) 686-6930.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, or 2) submit comments for Ohio EPA's consideration in reviewing the application, or 3) request a public hearing must do so in writing to Ohio EPA's Division of Surface Water, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216 within thirty days of the date of this public notice. Comments received after this date may not be considered as part of the official record.