

State of Ohio
Environmental Protection Agency
Notice of Adoption of Chapter 3745-21 Rules

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has rescinded rule 3745-21-04 and has adopted new rule 3745-21-04 and has adopted amended rules 3745-21-01, 3745-21-02, 3745-21-03, 3745-21-06, 3745-21-08, 3745-21-09, 3745-21-10 of the Administrative Code.

The primary purpose of this rulemaking is to revise Ohio Administrative Code ("OAC") as follows: 3745-21-01 will be amended to delete an unused definition and add a new one, 3745-21-04 will be amended to delete compliance dates which have already passed, and 3745-21-09 will be amended to incorporate the results of changes to the SIP and recent legal actions. All rules (with the exception of 3745-21-11) have been amended to accommodate changes needed to clarify existing language and/or correct spelling or formatting errors that are present. 3745-21-11 was not in need of changes to existing language and was filed as a No Change on November 15, 2001.

A public hearing on the proposed amendments was held on March 14, 2002, in Columbus, Ohio. There were no comments received during the comment period and no changes were made to the proposed rules as a result of public comment. The Director's order of adoption was issued on October 25, 2002. The effective date of these rules is November 5, 2002

To request a copy of these rules, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding, contact Mr. Todd Brown, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Todd Brown at (614) 644-4839. 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 Rule 3745-78-02

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rule 3745-78-02 of the Administrative Code.

The primary purpose of this rulemaking is to amend OAC rule 3745-78-02(F) to conform to authorization to collect a fee under Division (D) of Section 3745.11 of the Revised Code for owners or operators of synthetic minor facilities.

A public hearing on the proposed amendments was held on September 10, 2002, in Columbus, Ohio. There were no comments received during the comment period and no changes were made to the proposed rule as a result of public comment. The Director's order of adoption was issued on October 28, 2002. The effective date of this rule is November 29, 2002.

To request a copy of this rule, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding contact Michael Ahern, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Ahern at 614-644-3631. This rule is 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 Environ Enforcement Section of the Attorney General's Office.

**State of Ohio
Environmental Protection Agency
Notice of Adoption of Rule 3745-77-01**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rule 3745-77-01(W)(2)(aa) of the Administrative Code.

The primary purpose of this rulemaking is to conform to requirements specified by USEPA limiting the inclusion of fugitive emissions in the major source definition contained in 40 CFR Part 70.2 for any other stationary source category which, as of August 7, 1980, is regulated by a standard pursuant to section 111 or 112 of the Clean Air Act.

A public hearing on the proposed amendments was held on September 10, 2002, in Columbus, Ohio. There were no comments received during the comment period and no changes were made to the proposed rule as a result of public comment. The Director's order of adoption was issued on October 28, 2002. The effective date of this rule is November 29, 2002.

To request a copy of this rule, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding contact Michael Ahern, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Ahern at 614-644-3631. This rule is 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.

Date of Public Notice: November 6, 2002

Statewide

**PUBLIC NOTICE
NOTICE OF PUBLIC MEETING**

The Ohio Environmental Protection Agency (OEPA) will conduct a meeting on Tuesday November 26, 2002 at 9:00 AM until 3:00 PM at Blacklick Woods MetroPark, Beech Maple Lodge, 6975 East Livingston Ave, Reynoldsburg, Ohio 43068 to review watershed-wide grant applications for planning and implementation on nonpoint source pollution control. All of the subgrants will be awarded as part of a larger grant that Ohio EPA expects to receive from U.S. EPA through Section 319 of the Clean Water Act.

Persons wishing to be placed on Ohio EPA's interested parties list for the meeting, or to submit comments for Ohio EPA's consideration in reviewing the subgrantee applications, may do so in writing to the attention of: Ms. Natalie Farber, Ohio EPA/DSW, P.O. Box 1049, Columbus, Ohio 43215-1049. Comments must be received by close of business on November 19, 2002.

Persons planning on attending the meeting must contact Ms. Natalie Farber, Ohio EPA/DSW, at (614) 644-2143 or natalie.farber@epa.state.oh.us, to ensure accurate reservations for all attendees. Also, please contact Ms. Farber about additional information about the meeting.

Date of Notice: November 6, 2002

Butler 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 (11B00008) for the discharge from the existing Hamilton Municipal Electric Plant disposal system. The NPDES permit application was submitted by the Hamilton Municipal Electric Plant, 960 North Third Street, Hamilton, Ohio 45011.

The disposal system submitted for approval is proposed to treat 538,000 gallons per day of non-contact cooling water, boiler blowdown, and floor drain wastewater and 183,000 gallons per day of non-contact cooling water and boiler blowdown wastewater associated with the electric generation facilities. The system is located at 960 North Third Street, Hamilton, Butler County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to the Hamilton Hydraulic Canal and subsequently the Great Miami 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 the Hamilton Hydraulic Canal and subsequently the Great Miami 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 an exclusion from various portions of the antidegradation review and information submittal requirements applies as outlined by section 3745-1-05 (D)(1) of the antidegradation rule (effective as of October 1, 1996). The exclusion relates to a de minimis net increase in the discharge of a regulated pollutant.

Copies of the pending NPDES applications are available for review at Ohio EPA's Southwest District Office, 401 East Fifth Street, Dayton, Ohio, (937) 285-6357 or (800) 686-8930.

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.

Ohio EPA PTI No. 03-15505

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. 02-11-005
Date of Issue of Public Notice: October 30, 2002

Name and Address of Applicant; General Motors Corporation, GM Worldwide Facilities Group Environmental Services, MC 483-619-351, 1999 Technology Drive, Troy, OH, 48083-4243

Name and Address of Facility Where Discharge Occurs: General Motors Corporation, (NPA Leachate Collection System), 26427 State Route 281 East, Defiance, OH, 43512

Receiving Water: Maumee River and Lake Erie

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 Maumee River and subsequently Lake Erie. 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, Northwest District Office, 347 North Dunbridge Road, Bowling Green, OH 43402. 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 the Ohio EPA Northwest District Office, 347 North Dunbridge Road, Bowling Green, OH, 43402, by first calling, 419-352-8461 to make an appointment.

Ohio EPA PTI No. 03-15505

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. 02-11-005
Date of Issue of Public Notice: October 30, 2002

Name and Address of Applicant; General Motors Corporation, GM Worldwide Facilities Group Environmental Services, MC 483-619-351, 1999 Technology Drive, Troy, OH, 48083-4243

Name and Address of Facility Where Discharge Occurs: General Motors Corporation, (NPA Leachate Collection System), 26427 State Route 281 East, Defiance, OH, 43512

Receiving Water: Maumee River and Lake Erie

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 Maumee River and subsequently Lake Erie. 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, Northwest District Office, 347 North Dunbridge Road, Bowling Green, OH 43402. 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 the Ohio EPA Northwest District Office, 347 North Dunbridge Road, Bowling Green, OH, 43402, by first calling, 419-352-8461 to make an appointment.

Date of Notice: November 4, 2002

Delaware 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 initial issuance of a National Pollutant Discharge Elimination System (NPDES) permit (4IN00192) for the discharge from the existing Guttman Oil Company disposal system. The NPDES permit application was submitted by Bruce Patterson of Northwest Engineering, Inc. on behalf of Guttman Oil Company, 200 Speers Street, Belle Vernon, PA 15012.

Guttman Oil Company's preferred wastewater disposal alternative submitted for approval is proposed to treat 13,000 gallons per day of industrial wastewaters associated with stormwater runoff. The disposal system is located at 6190 Frost Road, Genoa Township, Delaware County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to an unnamed tributary to Alum Creek and subsequently Big Walnut Creek

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 Alum Creek and possibly Big Walnut Creek. 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 Central District Office, 3232 Alum Creek Drive, Columbus, Ohio 43207-3417, (614) 728-3778 or (800) 686-2330.

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.

Ohio EPA PTI No. 03-15239

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. 02-11-011
Date of Issue of Public Notice: November 7, 2002

Name and Address of Applicant; Blue Willow Ltd. Partnership, 9 Corporation Center,
Broadview Heights, OH, 44147

Name and Address of Facility Where Discharge Occurs: Blue Willow Mobile Home Park,
3899 Marion-Williamsport Road, Claridon Twp., Marion County, Ohio

Receiving Water: tributary of Riffle Creek

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 tributary of Riffle Creek and subsequently the Olentangy River. 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, Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402. 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 the Ohio EPA Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402, by first calling, 419-352-8461 to make an appointment.

PUBLIC NOTICE

OHIO EPA ISSUES DRAFT RENEWAL HAZARDOUS WASTE PERMIT

On October 31, 2002, Ohio EPA issued a draft renewal hazardous waste facility installation and operation permit (Permit) to Envirite of Ohio, Inc. for its facility at 2050 Central Avenue S.E., Canton, Ohio 44707. The EPA Identification Number for this facility is OHD980568992.

Why does Envirite of Ohio, Inc. need a Permit?

Envirite of Ohio, Inc. is a commercial hazardous waste storage and treatment facility engaged in the business of applying treatment and recovery technologies to the management of industrial wastes. To store and treat the hazardous wastes, Envirite of Ohio, Inc. needs a Permit. The draft renewal Permit contains the conditions under which the facility must operate if the Permit receives final approval. To issue this draft renewal Permit, Ohio EPA determined that the Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws, given the potential for harm to the public health and safety and the environment that could result from the irresponsible operation of the facility. When issued, the renewal Permit will allow Envirite of Ohio, Inc. to continue to store and treat hazardous waste in the designated areas and will require Envirite of Ohio, Inc. to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility.

How can I tell Ohio EPA what I think about this draft renewal Permit?

You can attend the public meeting and present your comments in person or submit written comments that are clear, concise, and well documented. Or, you are welcome to do both. Everyone who wants to comment at the public meeting will be allowed to speak. You should limit your presentation to five minutes and, if possible, submit a written copy of your comments to Ohio EPA at the meeting.

When and where will Ohio EPA hold a public meeting?

Ohio EPA will hold a public meeting on December 5, 2002, at 7:00 p.m. It will be at the Edward L. Coleman Community Center, 1400 Sherrick Road SE, Canton, Ohio 44707.

When and how do I submit written comments?

You can submit written comments anytime between November 1, 2002 and December 15, 2002. Send your comments to Ohio EPA, Lazarus Government Center, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail: dhwmcomments@epa.state.oh.us.

Where can I review the Permit Application and draft renewal Permit?

You can review these at one of the following locations:

Stark County District Library, DeHoff Memorial Branch, 216 Hartford Avenue SE,
Canton, Ohio 44707 (330) 452-9014,

Ohio EPA - Northeast District Office, 2110 Aurora Road, Twinsburg, Ohio 44087, (330)
963-1200, and;

Ohio EPA, Division of Hazardous Waste Management, 122 South Front Street,
Columbus, Ohio 43215
(614) 644-2917

What will Ohio EPA do with the comments?

After carefully considering public comments, Ohio EPA will reconsider the draft renewal Permit, making any necessary changes, and issue or deny the final Permit. Ohio EPA will issue a "response to public comments," specifying any changes made to the draft Permit. If you commented on the draft Permit, Ohio EPA will send you copies of the "response to public comments" and the final permit decision.

PUBLIC NOTICE

DIRECTOR'S FINAL FINDINGS AND ORDERS

Notice is hereby given on October 31, 2002, that the director of Ohio EPA issued Final Findings and Orders to Penn-Ohio Coal Co., an Ohio corporation, doing business as Kimble Sanitary Landfill ("Respondent"), 3596 State Route 39, NW, Dover, Ohio 44622. Upon the effective date of these Orders, Respondent shall maintain compliance with the terms and conditions of these Orders, any applicable authorizing documents issued to the Respondent and/or the facility and all applicable state and federal laws and regulations. Within 30 days after the effective date of these Orders, shall begin submitting data to Ohio EPA using the approved intra-well statistical method in accordance with OAC Rules 3745-27-10(C) and 3745-27-10(D). Within 30 days after the effective date of these Orders, the Respondent shall pay Ohio EPA the amount of \$12,000.00 in settlement of Ohio EPA's claims for civil penalties which may be assessed pursuant to ORC Chapter 3734 and which will be deposited into the hazardous waste cleanup fund created under ORC Section 3734.28. 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.