

**Public Hearing**  
**Ohio Environmental Protection Agency**  
**Proposed Revised, Rescinded, and Replacement Rules for**  
**OAC CHAPTER 3745-18**  
**Sulfur Dioxide Regulations**

Notice is hereby given that the Director of Environmental Protection ("Ohio EPA") is proposing revisions to rules 3745-18-01, 3745-18-04, 3745-18-06, 3745-18-24, 3745-18-49, 3745-18-56, and 3745-18-90 of the Ohio Administrative Code, is rescinding rule 3745-18-62 and replacing it with new rule 3745-18-62, Sulfur Dioxide Regulations.

- 3745-18-01 Definitions and incorporation by reference
- 3745-18-04 Monitoring methods and procedures
- 3745-18-06 General emission limit provisions
- 3745-18-24 Cuyahoga county emissions limits
- 3745-18-49 Lake county emissions limits
- 3745-18-56 Mahoning county emissions limits
- 3745-18-62 Monroe county emissions limits
- 3745-18-90 Washington county emissions limits

The revisions incorporate changes to emission limits requested by individual companies, required due to modeled air quality exceedances, or to conform to existing federal emission limits. The revisions also comply with the provisions of Substitute Senate Bill 265 incorporating rules for reference.

With the exception of portions of OAC 3745-18-04, Monitoring methods and procedures, Ohio EPA intends to submit these revisions, subsequent to their adoption, to US EPA for incorporation within the state implementation program (SIP) for Ohio. At the same time, Ohio EPA intends to submit the following emission limits (already adopted in Chapter 3745-18) to US EPA for SIP incorporation:

<b>Rule No.</b>	<b>County</b>	<b>Facility Name</b>	<b>Source #</b>	<b>Emission Limit</b>
3745-18-07	Adams	DPL Stuart Gen. Station	B001-4	3.16 #/MM Btu
3745-18-08	Allen	Marsulex	Acid Plant	35 #/ton acid
3745-18-19	Clermont	CGE Beckjord Station	B001-4 B005, 6	1.84 #/MM Btu 7.19 #/MM Btu
3745-18-50	Lawrence	Allied Chemical Company	B002-7, 9	5.1 #/MM Btu
3745-18-56	Mahoning	Youngstown Sinter Plant	P001	3.3 #/T process wt
3745-18-63	Montgomery	Glatfelter Company Miami Paper Company	B002,3 B001-3	1.6 #/MM Btu 1.6 #/MM Btu

3745-18-66	Muskingum	AK Steel Corporation	B002, 3	6.1 #/MM Btu
3745-18-72	Pike	Portsmouth Diffusion Plt.	B001-3	6.16 #/MM Btu
3745-18-77	Ross	Mead Corporation	B001-3 B004, 5	9.9 #/MM Btu 4.9 #/MM Btu
3745-18-90	Washington	Shell Chemical Company	B005, 7	2.5 #/MM Btu
3745-18-93	Wood	Libby-Owens-Ford Plt 4, 8 Libby-Owens-Ford Plt 6	B001-3 B002-4	1.1 #/MM Btu 1.1 #/MM Btu

Finally, as part of Ohio EPA's request to redesignate Lucas and Cuyahoga Counties to attainment with respect to sulfur dioxide, Ohio EPA is identifying Tier 2 gasoline sulfur requirements, the future federal low sulfur diesel rules and the Title IV acid rain provisions as the maintenance provisions necessary to assure future attainment of the NAAQS in those counties.

Pursuant to Chapter 119.03 of the Ohio Revised Code, a public hearing on these rule revisions and submissions to US EPA will be conducted on July 1, 2003, at 2:00 pm, in conference room 5A at Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, Ohio.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these proposals. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on July 2, 2003, will be considered by Ohio EPA prior to final action on these proposals. Written statements submitted after July 2, 2003, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These proposed rule revisions are available on the Web page for electronic downloading by clicking on "regulations" under the " topics" drop-down box and scrolling down to OAC 3745-18, "Sulfur Dioxide Regulations". The URL is <http://web.epa.state.oh.us/dapc/regs/regs.html>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Tom Tucker, (614) 644-3699, [tom.tucker@epa.state.oh.us](mailto:tom.tucker@epa.state.oh.us) or mailed to Tom Tucker, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

**NOTICE OF ADOPTION OF RULES**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**RULES GOVERNING**  
**COMPOSTING**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has adopted the following rule of the Ohio Administrative Code:

#3745-27-47                      Closure of composting facilities.                      [New]

The Director's order of adoption was issued on May 16, 2003. The adopted rule will become effective on June 1, 2003.

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on May 1, 2002, and comments received during the public comment period.

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. This 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. ERAC is located at 309 S. Fourth Street, Room 222, Columbus, OH, 43215. Copies of the appeal must be served on the Director of Ohio EPA within three (3) days of filing with ERAC. Ohio EPA is located at 122 South Front Street, Columbus, OH, 43215.

A copy of the final rule may be obtained free of charge from Ohio EPA, Division of Solid and Infectious Waste Management (DSIWM), at (614) 644-2621. The final rule is also accessible on DSIWM's web page at <http://www.epa.state.oh.us/dsiwm>.

## **PUBLIC NOTICE**

### **FINAL ISSUANCE OF A CERTIFICATE OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE**

Notice is hereby given that on May 16, 2003, the director of Ohio EPA issued an infectious waste transporter certificate to Accu Medical Waste Service Inc., 4 Knottingham, Williamstown, WV 26187, ID No.: 00-T-00260. Persons wishing to be notified of further actions or proceedings 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. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 236 East Town Street, Room 300, Columbus, Ohio 43215.

## PUBLIC NOTICE

The natural resource trustees (U. S. Fish and Wildlife Service, Ohio EPA and the National Oceanic and Atmospheric Administration) for the Ashtabula River, announce the availability of work plans for field studies to be conducted over the next few months. The work plans will describe investigations relating to fish, aquatic invertebrates and the physical environment of the Ashtabula River and a potential reference site, Conneaut Creek. These work plans are being issued pursuant to Section 4 of the Natural Resource Damage Assessment Plan for the Ashtabula River and Harbor which was released on February 19, 2003.

The documents are available for review and comment by the public. The review period is thirty (30) days from the date of this notice. Anyone interested can obtain the documents by contacting Regan Williams (via e-mail at [Regan.Williams@epa.state.oh.us](mailto:Regan.Williams@epa.state.oh.us) or at 330-963-1210), Sheila Abraham [Sheila.Abraham@epa.state.oh.us](mailto:Sheila.Abraham@epa.state.oh.us) or at 330-963-1290), or Dave DeVault [Dave.Devault@fws.gov](mailto:Dave.Devault@fws.gov) or at 612-713-5340 also also also also).

**PUBLIC NOTICE**

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has issued as a final action an authorization to Cleveland Hopkins International Airport (CHIA) under Ohio Administrative Code § 3745-27-13 to engage in filling, grading, and excavating activities in the South 40 and Old Landfill Areas of NASA Glenn Research Center. The project involves placing fill materials to a depth of approximately five (5) feet within ravine stream beds generally situated along the south and west sides of two formerly NASA-operated solid waste facilities (South 40 and Old Landfills) in order to support the expansion of CHIA.

The effective date of this action is May 14, 2003. The action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action. A copy of the appeal must be served upon the Director of Ohio EPA within three (3) days of filing at the ERAC. The ERAC's address is:

Environmental Review Appeals Commission  
309 South Fourth Street  
Room 222  
Columbus, OH 43215

A copy of the Director's authorization may be obtained from the Division of Emergency and Remedial Response, Ohio EPA, P.O. Box 1049, OH 43216-1049 or Ohio EPA, Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087.

**Date of Public Notice: May 28, 2003**

**Erie County**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to construct a new 200 linear foot rubblemound breakwater to alleviate excessive wave action in the marina entrance during high winds. Approximately 2,500 cubic yards of concrete rubble, of which 2,415 cubic yards would be placed below Lake Erie's ordinary high water mark (OHW), and 1,650 cubic yards of armor stone, of which 1,100 cubic yards would be placed below Lake Erie's (OHW) to fill 0.26 acres of lake bottom. The application was submitted by the Sandusky Yacht Club, 529 East Water Street, Sandusky, Ohio 44870. The project is located at 529 East Water Street, Erie County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is (B)88-780-12(2). The Ohio EPA ID Number for this project is 033610.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). 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. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting May 28, 2003, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**Date of Public Notice: May 28, 2003**

**Franklin County**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to expand the Southerly Wastewater Treatment Plant to meet existing and future capacity needs. The proposed project will replace the existing headworks with a new headworks on City owned property north of the existing plant. The project will include the installation of a 102-inch diameter gravity interconnector sewer extension from the existing Interconnector Pump Station west of the Scioto River to the proposed new headworks, east of the Scioto River. The existing interconnector Pump Station west of the Scioto River will be abandoned. The project would temporarily impact a 200 foot wide by 210 foot long section of the Scioto River and 1.93 acres of wetlands. The application was submitted by City of Columbus, Division of Sewerage and Drainage, 910 Dublin Road, Columbus, Ohio 43215-9053. The project is located at the Southerly Wastewater Treatment Plant, 6977 South High Street, Lockbourne, Ohio 43137. The Ohio EPA ID Number for this project is 033753.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Scioto River (05060001). The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). 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. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting May 28, 2003, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**Ohio EPA PTI No. 05-12215**

**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. 03-05-077  
Date of Issue of Public Notice: May 28, 2003

Name and Address of Applicant; Cedarville University, 251 North Main Street, Cedarville, OH, 45314

Name and Address of Facility Where Discharge Occurs: Cedarville University, 251 North Main Street, Cedarville, OH, 45314

Receiving Water: unnamed tributary of Massie 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 unnamed tributary of Massie Creek and subsequently . 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, Southwest District Office, 401 East 5<sup>th</sup> Street, Dayton, Ohio 45402. 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 Southwest District Office, 401 East 5<sup>th</sup> Street, Dayton, OH, 45402, by first calling,937-285-6357 to make an appointment.

**Date of Notice: May 29, 2003**

**Hamilton County**

**REVISED 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 (1PK00005) for the discharge from the existing Sycamore Creek Wastewater Treatment Plant disposal system. The NPDES permit application was submitted by the Metropolitan Sewer District of Greater Cincinnati on behalf of the Hamilton County Board of Commissioners, 1600 Gest Street, Cincinnati, Ohio 45402-2911.

The Metropolitan Sewer District of Greater Cincinnati's preferred wastewater disposal alternative submitted for approval is proposed to treat an average daily flow of 9.0 million gallons per day of sanitary wastewaters associated with municipal sewage treatment. The disposal system is located at 9273 Old Remington Road, Symmes Township, Hamilton County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to Sycamore Creek and subsequently the Little 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, could result in degradation to, or lowering of, the water quality of Sycamore Creek and possibly the Little 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 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 application are available for review at Ohio EPA's Southwest District Office, 401 East Fifth Street, Dayton, Ohio 45402 by first calling (937) 285-6357 or (800) 686-8930. An Ohio EPA public hearing on the proposed project has been scheduled for July 24, 2003 at 7:00 pm at the City of Montgomery's City Hall, 10101 Montgomery Road, Montgomery, Ohio 45242. The public hearing will end when everyone in attendance has had an opportunity to provide testimony related to the project.

All interested persons are entitled to attend or be represented and give written or oral comments on the project and all persons who do so may, in the discretion of the presiding officer, be questioned by other persons present. The purpose of the hearing is to obtain

additional information that will be considered by the Director of the Ohio EPA prior to any further action on the application.

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 must do so in writing to Ohio EPA's Division of Surface Water, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216 by close of business on July 31, 2003. Comments received after this date may not be considered as part of the official record.

**PUBLIC NOTICE  
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a proposed Consent Order with Joseph E. Goodell, formerly d.b.a. the Willow Haven Mobile Home Park, Gary R. Van Cleef, formerly d.b.a. the Willow Haven Mobile Home Park, and Van Cleef, Goodell, and Goodell Partners, formerly d.b.a. the Willow Haven Mobile Home Park (Defendants), to resolve all claims alleged in the Complaint filed by the State of Ohio, Henry County Court of Common Pleas case number 02CV176. The claims set forth in the State's Complaint relate to the Defendants' improper operation of the wastewater treatment plant formerly located at the Willow Haven Mobile Home Park. The proposed Consent Order prevents the Defendants from regaining operation or ownership of the Willow Haven Mobile Home Park, or any other mobile home park situated at that location, at any future time. The proposed Consent Order also requires the payment of a fifteen thousand dollar (\$15,000.00) civil penalty within sixty (60) days of the signing of the Consent Order.

Copies of the Consent Order can be obtained by writing to:

Ohio Environmental Protection Agency  
Northwest District Office  
347 North Dunbridge Road  
Bowling Green, Ohio 43402  
Attn: Enforcement Coordinator

Written comments should be submitted to Ohio EPA, Northeast District Office at the above address. Written comments should be submitted on or before June 30, 2003.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty-day period commences on May 29, 2003. Both the State of Ohio and Joseph E. Goodell, formerly d.b.a. the Willow Haven Mobile Home Park, Gary R. Van Cleef, formerly d.b.a. the Willow Haven Mobile Home Park, and Van Cleef, Goodell, and Goodell Partners, formerly d.b.a. the Willow Haven Mobile Home Park, reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

**Ohio EPA PTI No. 90-755**

**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. 03-05-080  
Date of Issue of Public Notice: May 29, 2003

Name and Address of Applicant; Mayor and Council, 6 North Washington Street,  
Millersburg, OH, 44654-1104

Name and Address of Facility Where Discharge Occurs: Village of Millersburg WWTP,  
1372 South Washington Street, Millersburg, OH, 44654

Receiving Water: Killbuck 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 Killbuck Creek. 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, Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087. 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 Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087, by first calling, (330) 425-9171 to make an appointment.

**Date of Public Notice: May 28, 2003**

**Jefferson County**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to place fill in 1.64 acres of forested and emergent wetland and 0.01 acres of stream to construct a new road and re-route CR 33 in preparation for airport improvements, including extension of runway 14. The application was submitted by the Jefferson County Airpark, 292 Airpark Drive, Steubenville, Ohio 43952. The project is located at 292 Airpark Drive, Steubenville, Ohio 43952. The Pittsburgh District Corps of Engineers Public Notice Number for this project is 2001-02269. The Ohio EPA ID Number for this project is 021453.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of wetlands and tributaries to Cross Creek. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). 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. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting May 28, 2003, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**Date of Notice: May 28, 2003**

**Knox 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 Permit to Install (PTI) No. 01-10161 for the construction of a proposed stormwater system. The PTI application was submitted by Kokosing Construction Company, 17531 Waterford Road, Fredericktown, Ohio 43019.

The disposal system submitted for approval is proposed to treat 187,200 gallons per day of stormwater wastewaters associated with fuel dispensing and storage pad. The system is proposed to be located at 17531 Waterford Road, Middlebury Township, Knox County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to an unnamed tributary to North Branch Kokosing River and subsequently to the Kokosing River.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of an unnamed tributary to the North Branch of the Kokosing River and subsequently the Kokosing 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 applications indicate 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 PTI applications are available for review at Ohio EPA's Central District Office, 3232 Alum Creek Drive, Columbus, Ohio, (614) 728-3778.

Persons wishing to 1) be on the 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.

**PUBLIC NOTICE**  
**Ohio EPA Issues Preferred Plan for**  
**Jennison Wright, Toledo, Ohio;**  
**Public Meeting to be held**

On April 4, 2003, Ohio EPA issued a Preferred Plan concerning the Jennison Wright Site, site # 348-1254, located at 2332 Broadway Avenue in Toledo, Ohio (Lucas County). The Preferred Plan summarizes the history of the site and the investigation of contamination at the site, provides an analysis of the feasibility of remedial alternatives, and outlines Ohio EPA's preferred alternative for remediation.

The approximate 23 acre Site, which operated from 1910 through 1990, was a creosote operation and manufacturer of asphalt pavement sealer. Jennison Wright operated on the 23 acre Site via two separate leases from two railroad companies. One lease covered the western 16 acres of the Site, while the second lease covered the eastern 6 acres. An Interim Removal Action (IRA) was undertaken at the site between October 1994 and April 1995 to remove all vessels, structures, drums, waste piles and residuals of creosote contaminated soils (PAHs) for appropriate off-Site disposal. After evaluation of data from the Remedial Investigation, separate lists of Constituents of Interest (COI) for soil and ground water were developed. The COI identified for surface and subsurface soil include priority pollutant PAHs, 1-methylnaphthalene, 2-methylnaphthalene, arsenic, barium, chromium, and mercury. COI identified for shallow and bedrock ground water include benzene, ethylbenzene, toluene, xylene, arsenic, barium, and all 16 PAHs except acenaphthylene and benzo(g,h,i)perylene.

The preferred alternative includes:

- **Soil Cover** - Six inches of soil cover would be placed over selected areas, encompassing approximately 12.2 acres. A vegetative cover would be established in these areas and maintained.
- **Monitored Natural Attenuation of the (MNA) Shallow Aquifer** - Shallow ground water attenuation requires three components, two of which have already been met through the IRA. These are source control actions and soil remediation. The final component will be performance monitoring to ensure the goals are met.
- **Monitored Natural Attenuation of the Bedrock Aquifer**- The bedrock aquifer will also be the subject of performance monitoring to ensure the goals are met.
- **Institutional / Engineering** - The implementation of controls, both physical (such as fencing) and administrative, such as deed restrictions on the use of both ground water and land, are required to complete the remedy.

Ohio EPA will hold a public meeting on Tuesday June 17, 2003, to answer questions and to accept comments on the Preferred Plan. The public meeting will begin at

7:00pm at the Toledo Heights Branch of the Toledo-Lucas County Public Library located at 423 Shasta Drive in Toledo, Ohio (43609). The public meeting will begin with an information session during which Ohio EPA will present a summary of the Preferred Plan and answer questions. After the information session the public can submit oral or written comments for the record regarding the Preferred Plan.

In addition, Ohio EPA will accept written comments through June 24, 2003. Anyone may submit written comments on the Preferred Plan by writing to: Paul Jayko, Site Coordinator, Ohio EPA, Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402. Comments can also be faxed to Paul Jayko at (419) 352-8468 or e-mailed to him at [paul.jayko@epa.state.oh.us](mailto:paul.jayko@epa.state.oh.us). Ohio EPA will consider all comments before taking a final action.

The Preferred Plan is available for review at the South Branch of the Toledo-Lucas County Public Library located at 1638 Broadway, Toledo, Ohio 43609. The Preferred Plan and related documents are available for review at Ohio EPA's Northwest District Office by calling (419) 352-8461 for an appointment.

**PUBLIC NOTICE**  
**OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT**

On May 21, 2003, Ohio EPA issued a final modified Hazardous Waste Facility Installation and Operation Permit (Permit) to BP Products North America, Inc. for its facility at 4001 Cedar Point Road, Oregon, Ohio 43616. The EPA Identification Number for this facility is OHD005057542.

**Why is BP Products North America, Inc. modifying its Permit?**

BP Products North America, Inc. (BP Products) operates a petroleum refinery and manufactures gasoline, and other petroleum products. BP Products wants to incorporate the closure plan for the North Stormwater Impoundment Pond into the permit for final approval. This final modified permit will allow BP Products to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

**Can I appeal this final modified Permit?**

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

**If I decide to appeal this final modified Permit, how and when must I make the appeal?**

If you file an appeal, you must put it in writing no later than **June 24, 2003**. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal, according to ORC § 3745.04, with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**Date of Public Notice: May 28, 2003**

**Miami County**

**REVISED PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to construct two bridges with four T-type piers with steel piles for a bike path over the Great Miami River. The proposed bike path would connect Treasure Island Park on the west bank of the Great Miami River with Duke Park on the east bank. The project would dredge approximately 4,000 cubic yards of material from the Great Miami River in the vicinity of the proposed bike path. The stated purpose of the dredging is to restore water depth for recreational boating and for support fill for the bikeway. The application was submitted by David Anderson, City of Troy, 100 South Market Street, Troy, Ohio 45373. The project is located on the Great Miami River, Mile 106, near the town of Troy in Section 24, Township 1 North, Range 10 East, Concord Township, Miami County. The Louisville District Corps of Engineers Public Notice Number for this project is 200201241. The Ohio EPA ID Number for this project is 032513.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Great Miami River. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). 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. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting May 28, 2003, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**Date of Public Notice: May 28, 2003**

**Ottawa County**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to construct 65 linear feet of rock filled steel cribbing, parallel to shore; the construction of a concrete boat ramp; and the construction of a detached rock filled steel crib pier. The purpose of this project is to provide long-term shoreline erosion protection and lake access with dockage. The application was submitted by Mr. and Mrs. John Anderson, 3120 Darlington Road, Toledo, Ohio 43605. The project is located at 1049 State route 357, Put-In-Bay, Ottawa County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 2001-02343(1). The Ohio EPA ID Number for this project is 022325.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). 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. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting May 28, 2003, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**PUBLIC NOTICE  
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a proposed Consent Order with Joseph E. Goodell, d.b.a. the West Unity Estates Mobile Home Park, Gary R. Van Cleef, d.b.a. the West Unity Estates Mobile Home Park, and Van Cleef, Goodell, and Goodell Partners, d.b.a. the West Unity Estates Mobile Home Park (Defendants), to resolve all claims alleged in the Complaint filed by the State of Ohio, Williams County Court of Common Pleas case number 02CI000237. The claims set forth in the State's Complaint relate to the Defendants' improper operation of the wastewater treatment plant formerly located at the West Unity Estates Mobile Home Park. The proposed Consent Order requires the Defendants to comply with all applicable provisions of Ohio's Water Pollution Control Law, R.C. Chapter 6111 and the rules and regulations promulgated thereunder, any renewal or modification thereof, and the terms and conditions of any NPDES permit, plan approval, or PTI that may be issued to the Defendants. The proposed Consent Order also requires the payment of a fifteen thousand dollar (\$15,000.00) civil penalty within sixty (60) days of the signing of the Consent Order.

Copies of the Consent Order can be obtained by writing to:

Ohio Environmental Protection Agency  
Northwest District Office  
347 North Dunbridge Road  
Bowling Green, Ohio 43402  
Attn: Enforcement Coordinator

Written comments should be submitted to Ohio EPA, Northeast District Office at the above address. Written comments should be submitted on or before June 30, 2003.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty-day period commences on May 29, 2003. Both the State of Ohio and Joseph E. Goodell, d.b.a. the West Unity Estates Mobile Home Park, Gary R. Van Cleef, d.b.a. the West Unity Estates Mobile Home Park, and Van Cleef, Goodell, and Goodell Partners, d.b.a. the West Unity Estates Mobile Home Park, reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.