

PUBLIC NOTICE

OHIO ENVIRONMENTAL PROTECTION AGENCY LABORATORY CERTIFICATION UNDER OHIO'S VOLUNTARY ACTION PROGRAM

Notice is hereby given that on June 4, 2003, the Director of the Ohio Environmental Protection Agency (Ohio EPA), pursuant to Ohio Revised Code 3746.04(B)(6) and Ohio Administrative Code 3745-300-04, issued a laboratory certification to CT&E Environmental Services, Inc., ("CT&E") of 1258 Greenbrier Street, Charleston, West Virginia. The certification number assigned to CT&E is CL0076.

The issuance of this certificate is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). 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 certificate, or any documents related to the laboratory's certification, please contact Kay Hughes, Records Management Officer, at Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

Date: June 11, 2003

Statewide

**PUBLIC NOTICE
PROPOSAL TO DEVELOP A GENERAL NPDES PERMIT
FOR
CONCENTRATED ANIMAL FEEDING OPERATIONS**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) proposes to develop a general National Pollutant Discharge Elimination System (NPDES) permit to potentially provide coverage to eligible concentrated animal feeding operations in the state of Ohio. The Ohio EPA-DSW proposes to develop this general permit through consultation with the U.S. Environmental Protection Agency and in conjunction with revisions to 40 CFR Parts 9, 122, 123, and 412.

Since some of the discharges that may receive coverage under this general permit may result in a new or increased discharge of pollutants to waters of the state, there may be a lowering of water quality, or degradation to these receiving waters. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in Ohio Administrative Code (OAC) 3745-1, will not be allowed to be exceeded. In accordance with OAC 3745-1-05, an antidegradation review will be conducted during the development of the general permit to determine the appropriateness and magnitude of coverage under the general permit and the associated potential lowering of water quality. It is anticipated that some discharges related to this general permit will not meet an exclusion from various portions of the Antidegradation review as outlined by rule, therefore, mandating a detailed analysis of social, economic and technical issues associated with this permit proposal.

Persons wishing to be on the Ohio EPA's interested parties mailing list for this project or wishing to submit comments for Ohio EPA's consideration during the permit development process must do so in writing, no later than July 11, 2003, to Ohio EPA's Division of Surface Water, Attention: Cathy Alexander, PTI & Agriculture Unit, P.O. Box 1049, Columbus, Ohio 43216. At the time that a draft permit is developed there will be further public involvement opportunities through the draft permit comment period and a series of public hearings related to the proposal. All individuals expressing interest in being on the interested parties mailing list will be notified of these activities.

Ohio EPA PTI No. 06-7073

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. 03-06-011
Date of Issue of Public Notice: June 12, 2003

Name and Address of Applicant; Mayor and Council, Village of Winchester, PO Box 156,
Winchester, OH, 45697-1056

Name and Address of Facility Where Discharge Occurs: Village of Winchester WWTP, 480
Graces Run Road, Winchester, OH, 45697

Receiving Water: Elk 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 Elk Fork and subsequently Little West 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 the Ohio EPA Southeast District Office, 2195 Front Street, Logan, OH, 43138, by first calling, 740-385-8501 to make an appointment.

**PUBLIC NOTICE
OHIO EPA ISSUES FINAL TEMPORARY AUTHORIZATION**

On June 6, 2003, Ohio EPA issued a final temporary authorization to RMI Titanium Extrusion Plant for its facility located at 1601 East 21st Street, Ashtabula, Ohio 44005 concerning its hazardous waste facility installation and operation permit (Hazardous Waste Permit). The EPA Identification Number for this facility is OHD980683544.

Why does RMI Titanium Extrusion Plant need this temporary authorization?

RMI Titanium Extrusion Plant (RMI) is permitted to store hazardous waste at its facility in Ashtabula. On March 19, 2003, RMI submitted a Class 2 modification to its Hazardous Waste Permit requesting to relocate Hazardous Waste Storage Unit Number 1 for up to 180 days. The temporary authorization enables RMI to prevent disruption of ongoing waste management activities as authorized in the permit.

Can I appeal this temporary authorization?

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 temporary authorization you have the right to appeal this decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final temporary authorization, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than July 6, 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 Ohio Revised Code §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.

PUBLIC NOTICE

WASTE CHARACTERIZATION STUDY AUTHORIZATION

Notice is hereby given that on June 2, 2003, the director of Ohio EPA grants authorization to Brown County Landfill to participate in a waste characterization study being sponsored by the Ohio Department of Natural Resources, to characterize the contents of the solid waste stream from the State of Ohio. The Brown County Landfill is one of the facilities that was selected for the study. The facility is located at 9427 Beyers Road, Georgetown, Ohio 45121. This authorization is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. 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.

PUBLIC NOTICE

DIRECTOR'S FINAL FINDINGS AND ORDERS

Notice is hereby given that on May 29, 2003, the director of Ohio EPA issued Final Findings and Orders to the Crawford County Commissioners ("Respondents"). The Orders resolve violations of the State's solid waste laws, which occurred at the Crawford County Landfill (Facility). The Facility is located at 5128 Lincoln Highway, Bucyrus, Ohio. Within thirty (30) days after the effective date of these Orders, Respondents shall obtain the consulting services of one or more experienced landfill managers or operators who are currently operating a licensed sanitary landfill facility to assist in achieving and maintaining compliance with applicable laws and authorizing documents. Within thirty (30) days after the effective date of these Orders, Respondents shall obtain the services of a registered professional engineer retained by Respondents to provide engineering assistance to the Facility on an as needed basis. Beginning thirty days after the effective date of these Orders, Respondents shall submit monthly reports to the Ohio EPA. Respondents shall initiate the assessment and repair work of the Phase 1 side slope liner system by no later than December 1, 2003 and submit a certification report in accordance with OAC Rule 3745-27-08(H) for the work performed by no later than January 15, 2004. The Respondents shall complete the Phase 1 capping project in accordance with PTI No. 03-5721 by no later than December 1, 2004. Within sixty (60) days after the effective date of these Orders, Respondents shall reply to the July 18, 2001, NOD referenced by Finding of Fact 25. These orders are subject to all rules, regulations, and specified conditions. Person's wishing to be on Ohio EPA's 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.

PUBLIC NOTICE

OHIO EPA RECEIVES AMENDED HAZARDOUS WASTE CLOSURE PLAN

On May 5, 2003, Ohio EPA received an amended hazardous waste closure plan from ISG Cleveland, Inc. for its former Electric Shop Degreaser Sludge Unit located at 3060 Eggers Road, Cleveland, Ohio 44105. The EPA Identification Number for this facility is OHD004218673.

Why is ISG Cleveland, Inc. Submitting this Amended Closure Plan?

At the request of Ohio EPA, ISG Cleveland, Inc. submitted this amended closure plan. This closure plan provides a description of the key activities necessary for closure including groundwater monitoring well installation and sampling, a summary of soil sampling events, and the determination of nature and extent of contamination. An indoor air evaluation is discussed including soil vapor gas sampling and soil physical data which can be used to calculate potential air contaminants. Other topics included in the plan are groundwater and indoor air closure standards, risk-based cleanup goals based on an industrial use scenario, groundwater remediation, the closure schedule, certification activities, and closure cost estimates.

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

You can submit written comments anytime between May 19, 2003 and June 17, 2003. 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:

Cleveland Public Library, Fleet Branch, 7224 Broadway, Cleveland, Ohio 44105, tel: (216) 623-6962;

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

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

PUBLIC NOTICE

DIRECTOR'S FINAL FINDINGS AND ORDERS

Notice is hereby given that on May 30, 2003, the director of Ohio EPA issued Final Findings and Orders to Biomass Energy, LLC ("Respondent"), 65 Avenue of Champions, Nicholasville, KY 40356. Respondent is the owner of approximately 80 acres of land located in South Point, Lawrence County, Ohio. Respondent shall achieve compliance with Chapter 3734 of the Ohio Revised Code and the rules promulgated thereunder. Immediately upon the effective date of these Orders, Respondent shall cease acceptance and disposal of solid waste at the Property and shall prevent the generation of leachate from the solid waste located on the Property by placing temporary impermeable covers over all exposed Tobacco Waste. Immediately, Respondent shall begin collecting and properly disposing of all leachate located at the Property. Within fifteen (15) days of the effective date of these Orders, Respondent shall initiate the excavation and removal of the Tobacco Waste from the Property and dispose of these solid waste at a licensed solid waste disposal facility, not later than sixty (60) days after the effective date hereof. These orders are subject to all rules, regulations, and specified conditions. Person's wishing to be on Ohio EPA's 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.

PUBLIC NOTICE

PROPOSED CONSENT ORDER

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a proposed Consent Order with LEH Properties, Inc., to resolve all claims alleged in the Complaint filed by the State of Ohio, Lorain County Court of Common Pleas case number 03 CV 135059. The claims set forth in the State's Complaint alleges that LEH Properties, Inc. installed sanitary sewer lines without an approved Permit to Install (PTI) issued by Ohio EPA. The proposed Consent Order requires the Defendant to comply with all applicable provisions of Ohio's Water Pollution Control Law, R.C. Chapter 6111, and the rules and regulations promulgated thereunder. LEH Properties, Inc. is enjoined from constructing or installing any sanitary sewer extension, any disposal system, or any sewage system or treatment works without Ohio EPA approval. To resolve Ohio EPA's claims for violations cited in the complaint, the proposed Consent Order requires LEH Properties, Inc. to pay a civil penalty settlement of two thousand one hundred and eighty dollars (\$2,180.00) within thirty (30) days of the final entry date.

Copies of the Consent Order can be obtained from the Ohio EPA, Northeast District Office, by calling the Division of Surface Water Enforcement Coordinator at (330) 963-1200 or by writing to:

Ohio Environmental Protection Agency
Northeast District Office
2110 E. Aurora Rd.
Twinsburg, Ohio 44087
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 July 6, 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 June 6, 2003. Both the State of Ohio and LEH Properties, Inc., reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

PUBLIC NOTICE

OHIO ENVIRONMENTAL PROTECTION AGENCY

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Chapter 6109., sections 119.09 et seq. of the Ohio Revised Code, and the rules of the Ohio Environmental Protection Agency, has issued Final Findings and Orders to dismiss Tri-State Laboratory's appeal of a proposed order by the Director. The December 31, 2002, proposed order regarding denial of renewal of certificates (microbiological laboratory certification) shall be issued as a final action. This final action of the Director will be effective on June 2, 2003, 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 the Ohio Environmental Protection Agency within three (3) days of filing at ERAC. ERAC's address is:

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

Date of Public Notice: June 12, 2003

Montgomery 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 1229 cubic yards of fill material in Little Twin Creek to replace the Manning Road bridge and provide bank stabilization. The application was submitted by the Montgomery County Engineers Office, 457 West Third Street, Dayton, Ohio 45422. The project is located at the Manning Road crossing over Little Twin Creek, German and Jackson Townships, Montgomery County. The Louisville District Corps of Engineers Public Notice Number for this project is 200200130. The Ohio EPA ID Number for this project is 021964.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Little Twin 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 June 12, 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

DIRECTOR'S FINAL FINDINGS AND ORDERS

Notice is hereby given that on June 2, 2003, the director of Ohio EPA issued Final Findings and Orders to Republic Waste Services of Ohio, LLC, Countywide Recycling and Disposal Facility, 3619 Gracemont Avenue, S.W., East Sparta, Ohio. Pursuant to OAC Rule 3745-27-05(A)(4) and ORC Section 3734.02(G). Republic is hereby authorized to use manufactured stone and scrap concrete from Cultured Stone in place of aggregate, as a method of disposal and is hereby exempted from the requirement to obtain a permit and a license to establish and operate a solid waste facility pursuant to ORC 3734 and OAC 3745-27, 3745-31, and 3745-37. Republic is required to collect and remit the state disposal fee and any district tiered disposal fee, in accordance with ORC Sections 3734.57(A) and 3734.57(B), for any manufactured stone and scrap concrete used or disposed of on-site. These orders are subject to all rules, regulations, and specified conditions. Person's wishing to be on Ohio EPA's 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.