

NOTICE
Division of Drinking and Ground Waters
July 22, 2003
Rule-Making

Notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Drinking and Ground Waters (DDAGW) proposes to modify the Ohio Administrative Code rules that regulate lead and copper concentrations in public water systems. In addition, DDAGW also proposes an amendment to rule 3745-81-04 to eliminate a minor discrepancy with the statutory authority for assessing administrative penalties under Ohio Revised Code Section 6109.23.

Specifically, DDAGW proposes to amend six rules, rescind five rules and adopt six new rules. Amendments are proposed for the following rules:

- 3745-81-04 Administrative penalties;
- 3745-81-80 Control of lead and copper - general requirements;
- 3745-81-81 Control of lead and copper applicability of corrosion control treatment steps to small, medium-sized, and large water systems;
- 3745-81-82 Control of lead and copper—description of corrosion control treatment requirements;
- 3745-81-83 Control of lead and copper—source water treatment requirements; and
- 3745-81-84 Control of lead and copper—lead service line replacement requirements.

The following four rules are proposed for rescission and replacement by a new rule of the same number and title:

- 3745-81-85 Control of lead and copper—public education and supplemental monitoring requirements;
- 3745-81-86 Control of lead and copper—monitoring requirements for lead and copper in tap water;
- 3745-81-87 Control of lead and copper—monitoring requirements for water quality parameters; and
- 3745-81-88 Control of lead and copper—monitoring requirements for lead and copper in water entering the distribution system.

Rule 3745-81-89, titled “Control of lead and copper—reporting and record-keeping requirements” is to be rescinded and its content, with amendments, moved to a new rule, 3745-81-90. Finally, a new rule 3745-81-89 entitled “Analytical methods” is proposed to specify analytical methods particular to lead and copper control.

A public hearing pursuant to §119.02 through §119.04 of the Ohio Revised Code will be conducted on August 27, 2003, beginning at 1:30 PM in room 5B at the Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, Ohio. A presiding officer will be present until all interested persons have been heard.

All interested persons are entitled to attend or be represented and give their written or oral comments on this proposed rule-making. To facilitate scheduling of oral presentations, persons intending to give testimony at the hearing should ensure that Ohio EPA receives notice of such intent by 5:00 p.m. on August 26, 2003. Persons who provide Ohio EPA with prior notice will be heard ahead of persons who register at the hearing. To provide notice of intent to give oral comments at the public hearing, contact Mark Sheahan, Ohio EPA, DDAGW, Lazarus Government Center, P. O. Box 1049, Columbus, Ohio 43216-1049.

In order to ensure that written comments are considered as part of the official record of this hearing, written comments must be received by Ohio EPA by the close of business August 27, 2003. Written comments on the proposed rules may be filed with the Hearing Clerk at the address above or with the presiding officer during the hearing.

To obtain a copy of the proposed rules, contact Donna Roberts at Ohio EPA at (614) 644-2755 or email at donna.roberts@epa.state.oh.us. Please request the "proposed lead and copper rules" and, if a recorded message is left, be sure to include your name, telephone number, and complete mailing address. There is no charge for proposed rules. The proposed rules will be available on the Agency web page until their adoption or withdrawal. The address is: <http://www.epa.state.oh.us/ddagw/oac.html>.

Questions concerning this proposed rule-making, other than obtaining copies of the proposed rules, may be addressed to Mark Sheahan at the above address or by phone at (614) 644-4827. Email can be sent to mark.sheahan@epa.state.oh.us.

**State of Ohio
Environmental Protection Agency
Notice of Proposed Rulemaking and Public Hearing**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 6111.03, proposes rules 3745-39-01, 3745-39-02 and 3745-39-03 of the Administrative Code.

Chapter 3745-39 of the Administrative Code is a new chapter that addresses National Pollutant Discharge Elimination System (NPDES) permitting requirements for small Municipal Separate Storm Sewer Systems (MS4s). The rules are necessary for implementation of the U.S. Environmental Protection Agency (EPA) Phase II small MS4 storm water program. These rules would: (1) require small MS4s within urbanized areas to obtain NPDES permits; (2) include criteria for waivers from permitting and petitions for permitting; (3) include circumstances to designate small MS4s outside of urban areas to obtain permits; and (4) define six minimum control measures for inclusion in NPDES permits for small MS4s.

A public hearing on the proposed rules will be held on Wednesday, August 13, 2003 at the Ohio EPA's Central Office, Conference Room 5A, located at 122 South Front Street in Columbus, Ohio. The public hearing will begin at 2:00 p.m. and adjourn when commenters complete their statements. All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on the proposed rules. Written comments may be filed with the presiding officer at the hearing or with Ohio EPA (Attention: Jason Fyffe, Ohio EPA, Division of Surface Water, P.O. Box 1049, 122 South Front Street, Columbus, Ohio 43216-1049) by the close of business on Monday, August 25, 2003. Comments received after this date will not be considered to be part of the official record of the hearing.

To obtain copies of the proposed rules, contact Jason Fyffe at the address above by calling (614) 728-1793, or via email at jason.fyffe@epa.state.oh.us. Copies of the proposed rules are also available for inspection at Ohio EPA's Central Office and are available on the Ohio EPA Division of Surface Water Web site at <http://www.epa.state.oh.us/dsw/rules>.

PUBLIC NOTICE

The Ohio Environmental Protection Agency is conducting the second Five-Year Review for the Summit National Superfund Site (aka Deerfield Dump) near Deerfield in Portage County. This review is required by federal statute and is routinely done for all Superfund Sites beginning five years after the start of remedial construction and every five years thereafter. The purpose is to ensure that the remedy continues to comply with environmental regulations and remains protective of human health and the environment.

Remedial construction began in 1993 to address soil and ground water contaminated with a wide variety of volatile and semivolatile chemicals, heavy metals, waste oil and some PCBs. Several years earlier a large number of drums and above ground storage tank contents were removed and disposed of off-Site. The final remediation consisted of thermal treatment of contaminated soil, a ground water collection system with on-Site water treatment to contain and gradually remediate ground water, and finally a clean soil cover and fence to prevent direct contact. The remedy has been in continuous operation since 1994.

The scheduled completion date is September 23, 2003. Anyone interested in the final Report or who wants to provide information about the Site can call Regan S. Williams at (330)963-1210, or write to me at Ohio EPA, 2110 East Aurora Road, Twinsburg, OH 44087.

Out of State

**PUBLIC NOTICE
APPROVAL OF STEAM STERILIZER MACERATOR (SSM) 150**

Pursuant to OAC Rule 3745-27-32, notice is hereby given that on July 18, 2003, the director of Ohio EPA hereby approves statewide, the WPS Company, Steam Sterilizer Macerator (SSM) 150. The WPS Company assumed ownership of the Antaeus Group, Inc. SSM 150 Technology and requested a revised approval letter. The WPS Company is located at 3052 Washington Blvd., Suite B, Baltimore, MD 21230. This approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and may be appealed 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.

Date of Public Notice: July 31, 2003

Jefferson, Monroe and Belmont Counties

**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 continue commercially dredging sand and gravel from the Ohio River. The application was submitted by Martin Marietta Materials Inc., 2710 Wycliff Road, Raleigh, NC 27607. The project is located along the Ohio River between River Mile 68 and 116, Belmont, Jefferson and Monroe Counties, Ohio. The Pittsburgh District Corps of Engineers Public Notice Number for this project is 199701892. The Ohio EPA ID Number for this project is 022249.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Ohio 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 July 31, 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
APPROVAL OF APPLICATION
FOR WATER SUPPLY REVOLVING LOAN ACCOUNT
TO THE VILLAGE OF ENON**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Supply Revolving Loan Account (WSRLA) financial assistance to the Village of Enon, for the following water treatment system activities: to design improvements to the Village of Enon's Municipal Water Works System for the installation of a new water supply well and a raw water transmission line.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the Village of Enon from the WSRLA is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6109.22 (N) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Paula Reed at the above address or by calling (614) 644-2798.

**PUBLIC NOTICE
APPROVAL OF APPLICATION
FOR WATER SUPPLY REVOLVING LOAN ACCOUNT APPLICATION APPROVAL
TO THE CITY OF CLEVELAND**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Supply Revolving Loan Account (WSRLA) financial assistance to the city of Cleveland, for the following water treatment system activities: Complete modification and relocation of the chemical system of the Baldwin Water Treatment Plant.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the city of Cleveland by the WSRLA is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6109.22 (N) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Kevin G. Spurbeck at the above address or by calling (614) 644-2798.

PUBLIC NOTICE
OHIO EPA RECEIVES AMENDED HAZARDOUS WASTE CLOSURE PLAN

On July 1, 2003, Ohio EPA received an amended hazardous waste closure plan from ISG Cleveland West Properties, Inc. for its former Cadence Product Storage Unit located at 3060 Eggers Avenue, Cleveland, Ohio 44105. The EPA Identification Number for this facility is OHD046203774.

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

At the request of Ohio EPA, ISG Cleveland, Inc. submitted this amended closure plan. The purpose of this closure plan for the Cadence product tank is to demonstrate that the areas adjacent to the tank are free of contamination as a result of using the Cadence product. The plan provides a description of the area soil sampling activities such as soil boring location determinations, and laboratory analytical methods and soil test results. Other topics included in the plan are the demolition and removal of the tank; the establishment of a sampling plan protocol; and alternate methods of closure.

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

You can submit written comments anytime between July 19, 2003 and August 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.

Date of Notice: August 4, 2003

Erie County

**PUBLIC NOTICE
OF PUBLIC HEARING FOR SECTION 401 CERTIFICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) is reviewing an application, 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. 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 Ohio EPA ID Number for his 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 3745-1-05, 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, apply or may be granted by the Director of Ohio EPA.

Starting August 4, 2003, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 7:00 PM on September 30, 2003 at the Erie County Office Building, 247 Columbus Avenue, 3rd Floor Chambers, Sandusky, Ohio 44870. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed projects. The purpose of the hearing is to obtain additional information that will be considered by the director of Ohio EPA prior to any further action on the application. Written comments must be received by the Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on October 7, 2003. Comments received after this date may not be considered as part of the official record of the hearing.

Persons wishing to be on Ohio EPA's interested parties mailing list for this project, or wish to submit 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 by the close of business on October 7, 2003.

Date of Notice: August 4, 2003

Franklin County

**PUBLIC NOTICE
OF PUBLIC HEARING FOR SECTION 401 CERTIFICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) is reviewing an application, 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 application was submitted by the City of Columbus, Division of Sewerage and Drainage, 910 Dublin Road, Columbus, Ohio 43215-90532. 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. 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 3745-1-05, 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, apply or may be granted by the Director of Ohio EPA.

Starting August 4, 2003, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 6:30 PM on September 30, 2003 at the Madison Township Community Center, 4575 Madison Lane, Groveport, Ohio 43125. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed projects. The purpose of the hearing is to obtain additional information that will be considered by the director of Ohio EPA prior to any further action on the application. Written comments must be received by the Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on October 7, 2003. Comments received after this date may not be considered as part of the official record of the hearing.

Persons wishing to be on Ohio EPA's interested parties mailing list for this project, or wish to submit 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 by the close of business on October 7, 2003.

PUBLIC NOTICE

OHIO EPA ISSUES FINAL RENEWAL HAZARDOUS WASTE PERMIT

On July 11, 2003, Ohio EPA issued a final renewal hazardous waste facility installation and operation permit (Permit) to Bayer Polymers, LLC for its facility at 356 Three Rivers Parkway, Addyston, Ohio 45001. The EPA Identification Number for this facility is OHD004233003.

Why does Bayer Polymers, LLC need a Permit?

Bayer Polymers, LLC (Bayer) is involved in the manufacturing of plastics and resins. Hazardous wastes generated at the plant are stored on-site in containers and tank systems. To store the hazardous wastes, Bayer needs a Permit. Bayer also wishes to change its owner and operator name from Bayer Corporation to Bayer Polymers, LLC. The final renewal Permit contains the conditions under which the facility must operate. To issue this final 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. The renewal Permit allows Bayer to change its name and to continue to store hazardous wastes in the designated areas and will require Bayer to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility.

Can I appeal this 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 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 August 14, 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 and 3745.07, 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
APPROVAL OF APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO THE CITY OF WILLOUGHBY**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Willoughby, for the following water quality improvement activity: construction of sanitary sewers in the Highland/Maple/Wood Street areas of Willoughby.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Willoughby from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Kevin G. Spurbeck at the above address or by calling (614) 644-2798.

**PUBLIC NOTICE
DIRECTOR'S FINAL FINDINGS AND ORDERS**

Notice is hereby given on July 22, 2003, that the director of Ohio EPA issued Final Findings and Orders to Larry McSweeney, P.O. Box 7995, Huntington, W.VA 25779, McSweeney's Mill & Mine Service, Rt. 1 Solida Road, South Point, OH 45680, and Adkins Enterprises, Inc., dba Adkins Trucking, 902 Solida Road, South Point, OH 45680 (Respondents). Upon the effective date of these Orders, Respondents shall immediately cease acceptance and disposal of all solid wastes and Construction and Demolition Debris (C&DD) at the Property and comply with ORC Chapter 3734 and 3714 and OAC Chapter 3745-27 and 3745-400. Within 180 days after the effective date of these Orders, the Respondents shall remove all solid waste and C&DD from the Property and dispose of all solid waste and C&DD at a licensed solid waste disposal facility and/or licensed C&DD facility. Respondents shall obtain disposal receipts from the disposal facility indicating weight or volume of waste disposed. Respondents shall pay monies to the Lawrence-Scioto Solid Waste Management District for deposit in the "B95 Special Environmental Fund" for open dump cleanups in accordance with given schedule. These orders are 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
APPROVAL OF APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO VILLAGE OF HANOVER**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to Village of Hanover, for the following water quality improvement activity: design of the Village of Hanover Wastewater Collection and Treatment System. The system will be comprised of gravity flow and force main sewer lines and a package plant treatment plant.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to Village of Hanover from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Amy Walkensspaw at the above address or by calling (614) 644-3652.

PUBLIC NOTICE
OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On July 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 wishes to incorporate the closure plans for Jake's Lake and Auxiliary 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 **August 20, 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.

**PUBLIC NOTICE
APPROVAL OF APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO THE CITY OF TOLEDO**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Toledo, for the following water quality improvement activity: for the development of a sanitary sewer survey by the City of Toledo to identify sources of infiltration and inflow in the Parkside area, consistent with the U.S. EPA consent decree.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Toledo from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Mary Mariani, Project Coordinator, at the above address or by calling (614) 644-3650.

**PUBLIC NOTICE
APPROVAL OF APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO THE CITY OF TOLEDO**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Toledo, for the following water quality improvement activity: Improvement I-44 B consisting of renovations of the secondary wastewater treatment system at the City's Bay View Water Reclamation Facility.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Toledo from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Mary Mariani, Project Coordinator, at the above address or by calling (614) 644-3650.

Date of Public Notice: July 31, 2003

Mahoning 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 an after-the-fact permit to fill 5.66 acres of wetland to create the Eastgate Commerce Park Development. The application was submitted by Sylvester and Vernal Development Company, 7087 West Boulevard, Suite 10, Youngstown, Ohio 44512. The project is located south of 10855 Market Street and north of 11017 Market Street in Beaver Township, Mahoning County, Ohio. The Pittsburgh District Corps of Engineers Public Notice Number for this project is 200101375. The Ohio EPA ID Number for this project is 021965.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Yellow Creek, tributary to the Mahoning 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 July 31, 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
APPROVAL OF FACILITIES PLAN AND APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO THE VILLAGE OF ROCKFORD**

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of Rockford, for the following water quality improvement activity: to replace a leaking force main that runs under the St. Mary's River.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilities planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the Village of Rockford from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Mary Mariani, Project Coordinator at the above address or by calling (614) 644-3650.

Date of Notice: July 25, 2003

Pickaway County

**PUBLIC NOTICE
NOTICE OF RECEIPT OF APPLICATION AND PUBLIC HEARING
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 (4PC00101) for the discharge from the proposed Village of South Bloomfield Wastewater Treatment Plant Expansion. Public notice is also given that Ohio EPA-DSW has received an application for Permit to Install (PTI) (01-10392) for the construction of the proposed disposal system. The NPDES and PTI applications were submitted by the Village of South Bloomfield, Municipal Building, 5023 South Union Street, South Bloomfield, Ohio 43103.

The disposal system submitted for approval is proposed to treat 500,000 gallons per day of domestic wastewaters associated with a municipality. The system is proposed to be located at 501 State Route 316 West, Harrison Township, Pickaway County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to the Scioto River.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of the Scioto 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 July 1, 2003). The exclusion relates to a de minimis net increase in the discharge of a regulated pollutant.

Copies of the pending NPDES and PTI applications are available for review at Ohio EPA's Central District Office, 3232 Alum Creek Drive, Columbus, Ohio, (614) 728-3778.

An Ohio EPA public hearing on the proposed project has been scheduled for September 17, 2003 at 6:30 P.M. at the South Bloomfield City Council Chambers, 5023 South Union Street, South Bloomfield, Ohio 43103-1035. 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 Ohio EPA prior to any further action on the application(s).

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 must do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by close of business on September 24, 2003. Comments received after this date may not be considered as part of the official record.

Date of Public Notice: July 31, 2003

Pike 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 at Lake White State Park to construct a roller compacted concrete (RCC) cap on the existing dam, modify the spillway and downstream channel, and reshape the existing dredge disposal area. The application was submitted by the Ohio Department of Natural Resources, 1889 Fountain Square, Columbus, Ohio, 43224. The project is located at Lake White State Park, Pike County, on SR 104, one-half mile south of Waverly, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is 200000337-1. The Ohio EPA ID Number for this project is 033755.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Pee Pee Creek in the Lower Scioto River Watershed. 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 July 31, 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
APPROVAL OF APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO THE CITY OF KENT**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for a Water Pollution Control Loan Fund (WPCLF) loan to the City of Kent for the following water quality improvement activity: the design of corrective repairs and rehabilitation of manholes and catch basins to eliminate I/I problems and a new septage receiving facilities that will be constructed along with improvements to preliminary treatment and anaerobic digester facilities.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Kent from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the Loan Agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Judy Mentzer at the above address or by calling (614) 644-2798.

**PUBLIC NOTICE
APPROVAL OF FACILITIES PLAN AND APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO THE VILLAGE OF GIBSONBURG**

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of Gibsonburg, for the following water quality improvement activities: improvements to the Gibsonburg wastewater treatment plant including the construction of two sewage digesters and septage treatment facilities.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements, of the facilities planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the Village of Gibsonburg from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director and may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Limited Environmental Review documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Paula Reed at the above address or by calling (614) 644-2798.

Date of Public Notice: July 31, 2003

Stark 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 proposed project (Preferred Alternative). The project consist of the construction of a new interchange with Interstate 77 (I-77) at the existing Shuffel Drive NW overpass, and improvements to Shuffel Drive from Frank Road, on the west, to Pittsburg Avenue, on the east, in Stark County, Ohio. The proposed project is estimated to impact four jurisdictional wetlands, totaling 4.51 acres, and 1560 linear feet of impacts to jurisdictional streams, including Zimmer Ditch. The application was submitted by The Ohio Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223. The Army Corps of Engineer Public Notice Number is 200000142. The Ohio EPA ID Number is 033874. The Ohio Department of Transportation (ODOT) ID code is STA/SUM-IR-77-20.502, PID 16639/23482.

The discharges from the activities, if approved, would result in degradation to, or lowering of the water quality of jurisdictional wetlands and streams in the Tuscarawas River watershed, Stark Couny, Ohio. 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 July 31, 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

OHIO EPA ISSUES AUTHORIZATION TO EXCAVATE, FILL, GRADE, AND CONDUCT BUILDING ACTIVITIES UNDER RULE 13 OF OHIO ADMINISTRATIVE CODE

On July 24, 2003, Ohio EPA issued a final authorization under Rule 13 of Ohio Administrative Code 3745-27-13 to PPG Industries, Inc. for its facility located at 4829 Fairland Road, Barberton, Summit County, Ohio. The EPA Identification Number for this facility is OHD004198917.

Why does PPG Industries, Inc. need this Rule 13 Authorization?

PPG Industries, Inc. proposes to fill, grade, excavate, drill, build or mine solid waste management unit numbers 1 through 109, and other areas of concern. Their request is for routine repair and maintenance activities which are minimally invasive. All wastes and potentially contaminated soils will be managed within their respective units, or disposed appropriately. The Rule 13 authorization allows PPG Industries, Inc. (Barberton) to perform the requested activity.

Can I appeal this Rule 13 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 Rule 13 Authorization, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than August 23, 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 Furth 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
APPROVAL OF APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO THE VILLAGE OF SILVER LAKE**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of Silver Lake, for the following water quality improvement activity: Sanitary sewer line replacement.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the Village of Silver Lake from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Judy Mentzer at the above address or by calling (614) 644-2798.

Date of Public Notice: July 31, 2003

Summit 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 proposed project (Preferred Alternative) to replace the existing Cleveland-Massillon Road Bridge and culverts over Pigeon Creek, improve the vertical geometry of Cleveland-Massillon Road, and make safety improvements to the intersection at Cleveland-Massillon Road and Sawmill Road, in Copley Township, Summit County, Ohio. The proposed project is estimated to impact 255 linear feet of Pigeon Creek. The application was submitted by the County of Summit Engineer, 538 East South Street, Akron, Ohio 44311. The Ohio EPA ID Number is 033775.

The discharges from the activity, if approved, would result in degradation to, or lowering of the water quality to Pigeon Creek, in the Tuscarawas River Watershed, Summit County, Ohio. 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 July 31, 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: July 31, 2003

Summit 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 modify the Munroe Falls Dam, remove accumulated sediment and create a fish passage. The application was submitted by Summit County Environmental Services, 2525 State Road, Cuyahoga Falls, Ohio 44223. The project is located east of SR 91 (Darrow Rd) and north of Munroe Falls Ave in the Village of Munroe Falls, Summit County, Ohio. The Ohio EPA ID Number for this project is 034402.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Cuyahoga 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 July 31, 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

PURPOSE OF PUBLIC NOTICE

On July 16, 2003, the Ohio Environmental Protection Agency (Ohio EPA) issued to Southern Ohio Coal Company (SOCCo) Corporation an Underground Injection Control (UIC) Class V Permit to Operate for the purpose of injecting leachate from the Raccoon Mine Number 3 coarse refuse pile into the underground workings of Raccoon Mine Number 3.

BACKGROUND

Part C of the Safe Drinking Water Act (SDWA) specifically mandates regulation of the underground injection of fluids through wells to assure that the quality of underground sources of drinking water is protected. The UIC Class V Permit to Operate is issued pursuant to Section 6111.043 and Section 6111.044 of the Ohio Revised Code and to Chapter 3745-34 of the Ohio Administrative Code.

FACTS

The Raccoon Mine Number 3 is located at Fraction 30, Wilkesville Township, Vinton County in Wilkesville, Ohio.

The Ohio EPA Permit Number is:

UIC 05-82-01-PTO-V. The permit will expire on July 16, 2008.

A copy of this permit is available for review at the Ohio EPA, Division of Drinking and Ground Waters, UIC Unit, 122 South Front Street, Columbus, Ohio 43215. For further information, write or telephone Valerie Orr at (614) 644-2752.