

Statewide

**PUBLIC NOTICE
FINAL FINDINGS AND ORDERS
ADOPTING STATEMENT OF COASTAL MANAGEMENT POLICIES**

Notice is hereby given that on November 24, 2003, the Director of Ohio EPA issued final findings and orders adopting a Statement of Coastal Management Policies pursuant to section 1506.03 of the Revised Code(R.C.). R.C. section 1506.03 provides that any agency of the state may adopt its own statement of coastal management policies, in which case a separate determination of consistency shall not be required under this statute if the statement of coastal management policies has been approved by the Director of the Ohio Department of Natural Resources (ODNR) and the project or activity is in accordance with that statement.

Ohio EPA's Statement of Coastal Management Policies covers all areas of coastal management that fall under the authority of Ohio EPA to implement. The statement is substantively identical with the statements regarding Ohio EPA authority already published in the Ohio Coastal Management Program document by ODNR and maintained by them. Persons wishing to obtain or review Ohio EPA's Statement of Coastal Management Policies should contact Edward Kitchen, Ohio EPA Director's Office, P.O. Box 1049, Columbus, Ohio 43216-1049, tel: (614)644-2782. Although the Director's adoption of the statement is a final action, the Director of ODNR must still approve Ohio EPA's statement prior to its becoming effective under R.C. section 1506.03. 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, Suite 222, Columbus, Ohio 43215.

Date of Public Notice: January 12, 2004

**OHIO ENVIRONMENTAL PROTECTION AGENCY
PUBLIC NOTICE**

**NOTICE OF AVAILABILITY and REQUEST FOR COMMENTS
FWPCA Section 303(d) TMDL PRIORITY LIST FOR 2004**

Notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) is providing for public review and comment the Total Maximum Daily Load (TMDL) priority list for 2004 as required by Section 303(d) of the Federal Water Pollution Control Act, 33 U.S.C. Section 1313(d). The list indicates the waters of Ohio which are currently impaired and may require TMDL development in order to meet water quality standards. The waters are ranked according to level of impairment to help indicate which have the greatest need for TMDL development. The list is contained within the *2004 Integrated Water Quality Monitoring and Assessment Report*, which in accordance with federal guidance, satisfies the Clean Water Act requirements for both Section 305(b) water quality reports and Section 303(d) lists. The report describes the procedure that Ohio EPA used to develop the list and indicates which areas have been selected for TMDL development during FFY 2005 through 2006.

A public information session will be held on February 3, 2004, at 2 pm at Ohio EPA's central office, located at 122 South Front Street, Columbus.

All interested persons wishing to submit comments for Ohio EPA's consideration may do so by email to dan.dudley@epa.state.oh.us, or in writing to Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049 Attn: 303(d) Comments, by the close of business, February 20, 2004. Comments received after this date may be considered as time and circumstances permit. After consideration of comments, Ohio EPA will submit the document to the United States Environmental Protection Agency (USEPA) for approval. The final report must be submitted to USEPA by April 1, 2004.

The report is available on Ohio EPA Division of Surface Water Web site at <http://www.epa.state.oh.us/dsw>. To receive a printed copy, contact the Ohio EPA - DSW reception desk by telephone at (614) 644-2001 and request the report by name. To arrange to inspect Agency files or records pertaining to the document, to ask technical questions regarding the list or report, or to request notice of when Ohio EPA submits the document to USEPA, please contact Dan Dudley at the e-mail address above or by calling (614) 644-2876.

Statewide

Ohio Environmental Protection Agency

PUBLIC NOTICE

Project Priority List

For

The Drinking Water Assistance Fund

For Program Year 2004

Notice is hereby given that the Director issued a final action effective January 7, 2004, amending the 2004 Project Priority List for the Drinking Water Assistance Fund which has been authorized by Ohio Revised Code section 6109.22 and Section 1452 of the Safe Drinking Water Act. This action may be appealed, in writing, within thirty (30) days of this notice to:

Environmental Review Appeals Commission
236 East Town Street, 3rd Floor, Room 300
Columbus, Ohio 43266-0557

Notice of any appeal shall be filed with the Director within three (3) days of being filed with the Environmental Review Appeals Commission. This notice of appeal shall be sent to: Hearing Clerk, OEPA, P.O. Box 1049, Columbus, Ohio 43216-1049, Phone (614) 644-2115. Consult ORC Chapter 3745 and OAC Chapters 3745-47 and 3746-05 for requirements.

Copies of the Final Project Priority List are available from the Division of Drinking and Ground Waters, upon request, and also through the Internet at: <http://www.epa.state.oh.us>.

PUBLIC NOTICE

**DETERMINATION OF CONTINUANCE OR TERMINATION OF COMMERCIAL
HAZARDOUS WASTE INCINERATOR MORATORIUM**

Notice is hereby given that on December 30, 2003 the Director, pursuant to Ohio Revised Code (ORC) 3734.124, determined that the prohibition on issuing permits for new commercial hazardous waste incinerators would be continued. The Director considered the seven items identified in ORC 3734.124(A)(1) to (7) to determine whether each item supports continuance of the moratorium, termination of the moratorium, or has little or no bearing on the continuance or termination of the moratorium.

This final determination was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

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

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) supplemental financial assistance to the City of Athens, for the following water quality improvement activity: additional costs to upgrade sludge storage facilities at the WWTP.

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 Athens 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.

Date of Notice: January 15, 2004

**PUBLIC NOTICE
NOTICE OF RECEIPT OF APPLICATION
FOR SECTION 401 CERTIFICATION**

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 mine coal in an area of approximately 1400 acres. Ohio EPA held a public hearing for this project on March 28, 2001, and issued a Section 401 water quality certification on June 8, 2001. The project is now being public noticed again due to an error in the amount of stream impacts approved in the Section 401 application which was 7,500 feet. This amount only accounted for the footage of streams directly underlain by coal. In actuality, the project would impact 15,140 feet of streams and 3.88 acres of wetlands. The difference between the 7,500 and 15,140 feet is the linear footage of streams that would be impacted by sediment transport and pond construction. The application was submitted by Oxford Mining Company, 544 Chestnut Street, P.O. Box 427, Coshocton, Ohio 43812-0427. The project is located on Belmont County Road No. 70, west of Barnesville, Belmont County, Ohio. The Army Corps of Engineers number for this project is 200100625-1. The Ohio Department of Natural Resources Mining Permit number for this project is D-2122. The Ohio EPA number for this project is 010466.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in Shannon Run and tributaries of Leatherwood Creek (05040005). 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, apply or may be granted by the Director of Ohio EPA.

Starting January 15, 2004, 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.

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 (EPA) and Defendant Caven S. McLoughlin dba Edgewood Terrace Mobile Home Park have entered into a proposed Consent Order to resolve Edgewood Terrace Mobile Home Park's noncompliance with Ohio's Water Pollution Control Regulations. The proposed Order addresses wastewater effluent violations at the Edgewood Terrace Mobile Home Park, located at 46115 U.S. Route 36, Coshocton, Coshocton County. The proposed Consent Order would require that Defendant properly operate and maintain the Edgewood Terrace Mobile Home Park wastewater treatment plant and to comply with O.R.C. Chapter 6111 and the rules adopted thereunder.

To resolve Ohio EPA's claims for violations cited in the complaint, the proposed Consent Order requires Defendant to pay a civil penalty settlement in the amount of \$10,000 for violations of 6111. The Consent Order requires the payment of the civil penalty within 30 days of its final entry date.

Copies of the Consent Order can be obtained from the Ohio EPA, Southeast District Office, by calling the Division of Surface Water Compliance and Enforcement Unit Supervisor at (740) 385-8501 or by writing to:

Compliance and Enforcement Unit Supervisor, DSW
Ohio EPA, Southeast District Office
2195 Front Street
Logan, Ohio 43138

Written comments should be submitted to Ohio EPA, Southeast District Office at the above address. Written comments should be submitted on or before **February 12, 2004**.

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 **January 13, 2004**. The State of Ohio and Caven S. McLoughlin dba Edgewood Terrace Mobile Home Park reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

**PUBLIC NOTICE
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (EPA) and Defendant Caven S. McLoughlin dba Ranchwood Mobile Home Park have entered into a proposed Consent Order to resolve Ranchwood Mobile Home Park's noncompliance with Ohio's Water Pollution Control Regulations. The proposed Order addresses wastewater effluent violations at the Ranchwood Mobile Home Park, located at U.S. Route 30, east of Bucyrus, Bucyrus, Crawford County. The proposed Consent Order would require that Defendant properly operate and maintain the Ranchwood Mobile Home Park wastewater treatment plant and to comply with O.R.C. Chapter 6111 and the rules adopted thereunder.

To resolve Ohio EPA's claims for violations cited in the complaint, the proposed Consent Order requires Defendant to pay a civil penalty settlement in the amount of \$12,500 for violations of 6111. The Consent Order requires the payment of the civil penalty within 60 days of its final entry date.

Copies of the Consent Order can be obtained from the Ohio EPA, Northwest District Office, by calling the Division of Surface Water Compliance and Enforcement Unit Supervisor at (419) 352-8461 or by writing to:

Compliance and Enforcement Unit Supervisor, DSW
Ohio EPA, Northwest District Office
347 N. Dunbridge Road
Bowling Green, Ohio 43402

Written comments should be submitted to Ohio EPA, Northwest District Office at the above address. Written comments should be submitted on or before **February 12, 2004**.

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 **January 13, 2004**. The State of Ohio and Caven S. McLoughlin dba Ranchwood Mobile Home Park reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

PUBLIC NOTICE

OHIO EPA RECEIVES NEW HAZARDOUS WASTE CLOSURE PLAN

On December 11, 2003, Ohio EPA received a new hazardous waste closure plan from Boyer Signs & Graphics, Inc. concerning a waste pile unit located at 21611 Tungsten Road, Cleveland, Ohio 44117. The EPA Identification Number for this facility is OHD986976900.

Why is Boyer Signs and Graphics, Inc. submitting this Closure Plan?

At the request of Ohio EPA, Boyer Signs and Graphics, Inc. submitted the closure plan. This closure plan is intended to describe an area of soil and asphalt at the rear of the site that was impacted with mercury as a result of the improper management of mercury-containing light bulbs. The plan includes a discussion of a RCRA Site Investigation which delineates the extent of chrome, lead, and mercury concentrations; and includes a report on a statistical analysis of these concentrations. Other discussions include sampling procedures; laboratory analysis; equipment decontamination and waste handling procedures; health and safety plan; and site demobilization, to name a few.

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

You can submit written comments anytime between December 30, 2003 and January 28, 2004. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail address: dhwmcomments@epa.state.oh.us.

Where can I review the Closure Plan?

You can review the Closure Plan at the following locations:

Euclid Public Library, 631 East 222nd Street, Euclid, Ohio 44123, (216) 261-5300;

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

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

Delaware County

**PUBLIC NOTICE
RAW RENDERING MATERIAL
Type F Feedstock Pilot Project Approval**

Notice is hereby given that on January 5, 2004, the director of Ohio EPA, grants approval to Price Barnes Organics, LTD. Class II Solid waste composting facility (Registration No. 21-C2R-0611), 4838 Warrensburg Road, Delaware, Ohio 43015, to accept and compost Type F feedstock. OAC Rule 3745-27-40(A)(7) defines Type F feedstocks as "source separated raw rendering material accepted from a transporter licensed under Chapter 953 of the Ohio Revised Code (ORC)". 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 Environmental Review Appeals Commission, 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

Notice is hereby given that on January 7, 2004, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit (Level 2) to Maronda Homes, 3811 Twin Creeks, Columbus, Ohio 43204. The permit was issued for a project to construct the Bixby Grove Residential Subdivision. This permit was issued as a final action, and may be appealed to the Environmental Review Appeals Commission (ERAC), pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557 within 30 days of issuance of this final action.

PUBLIC NOTICE

Notice is hereby given that on January 7, 2004, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit (Level 2) to YMCA, 933 Mentor Avenue, Painesville, Ohio 44077. The permit was issued for a project to construct the residential development of 38.1 acre property located east of State Route 528. This permit was issued as a final action, and may be appealed to the Environmental Review Appeals Commission (ERAC), pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557 within 30 days of issuance of this final action.

PUBLIC NOTICE

**OHIO EPA ISSUES FINAL HAZARDOUS WASTE PERMIT RENEWAL TO
CHEMTRON CORPORATION, AVON, OHIO**

On December 31, 2003, Ohio EPA issued a final Ohio Hazardous Waste Facility Installation and Operation Permit Renewal (Permit) to the Chemtron Corporation for its facility at 35850 Schneider Court, Avon, Ohio 44011. The EPA Identification Number for this facility is OHD066060609.

Why does the Chemtron Corporation need a Permit?

Chemtron Corporation (Chemtron) is a commercial facility that accepts hazardous waste products from off site generators, treats and stores the hazardous waste and sends it for further management to other facilities. To store and treat the hazardous wastes, Chemtron needs a Permit. 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 Chemtron to continue to treat and store hazardous waste. It will also require Chemtron to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility. Details about this final action can be viewed on Ohio EPA's website at www.epa.state.oh.us/dhwm/pdf/12-31-03chemtron.pdf

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 January 30, 2004. 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

**OHIO EPA ISSUES FINAL RENEWAL HAZARDOUS WASTE PERMIT FOR
DELPHI AUTOMOTIVE SYSTEMS, L.L.C. DAYTON, OHIO**

On October 8, 2003, Ohio EPA issued a final Ohio Hazardous Waste Facility Installation and Operation Permit Renewal (Permit) to Delphi Automotive Systems, LLC for its facility at 1420 Wisconsin Boulevard, Dayton, Ohio 45408. The EPA Identification Number for this facility is OHD060928561.

Why does Delphi Automotive Systems, LLC need a Permit?

Delphi Automotive Systems (Delphi) is engaged in the manufacture of power train and brake system components for cars and trucks. From this activity hazardous wastes are generated and stored on site. Closure of the storage areas has now been certified by the facility and approved by Ohio EPA. Delphi is now involved in corrective action activities and must renew their permit for this purpose. 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 the company to continue to store and treat hazardous waste at the designated areas and will require Delphi to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility. Details about this final action can be viewed on Ohio EPA's website at www.epa.state.oh.us/dhwm/pdf/10-08-03delphi.pdf

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 November 7, 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

OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On January 7, 2004, Ohio EPA issued a final modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Solvay Advanced Polymers, LLC for its facility at State Route 7, Marietta, Ohio 45750. The EPA Identification Number for this facility is OHD981529688.

Why is Solvay Advanced Polymers modifying its Permit?

Solvay Advanced Polymers, LLC (Solvay) is engaged in the production of specialty, high temperature polymers for use in the manufacture of medical devices, food contact uses, electronic devices, chemical process equipment, and automotive applications. From this activity, hazardous waste is generated. Solvay wants to revise the container storage area checklist and the emergency basin checklist found in Appendix G-2 of the approved permit application. 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 **February 6, 2004**. 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.