

PUBLIC NOTICE FOR FINAL ACTION OF DIRECTOR

Pursuant to Ohio Administrative Code (OAC) rule 3745-77-01(GG)(1)(b), the Director of the Ohio Environmental Protection Agency approved the request to delegate the authority of Mr. Thomas Kern, CEO, to Mr. Bryan Kern, Plant Manager, to act as the responsible official for the Title V facility, Style Crest Manufacturing, located at 600 Hagerty Drive, Fremont, Ohio 43420. According to the request for delegation of authority, Mr. Kern is responsible for the overall operation of this facility, thereby meeting the criteria in OAC rule 3745-77-01(GG). The delegation is effective as of January 13, 2004.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and 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. It is also requested by the Director that a copy of the appeal be served upon the Environment Enforcement Section of the Office of the Attorney general. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street
Room 300
Columbus, Ohio 43215

PUBLIC NOTICE

COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS Copeland Corporation, 751 Industrial Drive, Wapakoneta, Ohio

Notice is hereby given that on January 5, 2004, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") Chapter 3745-300, issued a Covenant Not To Sue/Final Findings and Orders to Copeland Corporation for the property located at 751 Industrial Drive, Wapakoneta, Ohio 45895-9200.

Copeland Corporation conducted a voluntary action at the 14.80 acre-Property located at 751 Industrial Drive, Wapakoneta, Auglaize County. A No Further Action Letter was submitted on June 20, 2003 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Copeland Corporation by John A. Simon, a Certified Professional (No. CP 152), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

The issuance of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. (See ORC 3745.04 and 3745.07). A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

If you would like to review a copy of the Covenant Not To Sue/Final Findings and Orders, please contact the Records Management Officer, Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE

FINAL FINDINGS AND ORDERS DENYING COVENANT NOT TO SUE Buckingham Street Property

Notice is hereby given that on January 2, 2003, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") Chapter 3745-300, denied the Request for a Covenant Not To Sue in Final Findings and Orders for the property identified as the Buckingham Street Property (the "Property").

A No Further Action Letter with addenda (the "NFA Letter") was initially issued for the Property on December 24, 2001 by Michael D. Weinstein, a certified professional, No. CP126, as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8). The Property is located at 837 Buckingham Street, Toledo, Lucas County, Ohio and includes about 9.7 acres. The NFA Letter was submitted to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of the BASF Corporation.

The denial of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. (See ORC 3745.04 and 3745.07). A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

If you would like to review a copy of the Denial of the Covenant Not To Sue/Final Findings and Orders, please contact the Records Management Officer, Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

Date of Public Notice: January 22, 2004

Ashtabula 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 annually dredge up to 100,000 cubic yards of material each year for five years from the Inner and Outer Harbor Channel and the Municipal Access Channel in order to maintain sufficient depth for deep-draft commercial vessels and shallow-draft recreational craft. Disposal of the material is proposed in approved open lake disposal areas in Lake Erie with consideration given to placing some of the dredged material in the littoral zone of Lake Erie. The application was submitted by the U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York, 14207-3199. The project is located in the Inner and Outer Harbor Channels of Conneaut Harbor and the Municipal Access Channel, Conneaut, Ashtabula County, Ohio. The Buffalo District Corps of Engineers number for this project is 04-04. The Ohio EPA ID Number for this project is 048506.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in Conneaut Harbor and Lake Erie. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

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

Starting January 22, 2004, 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.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 5:30 p.m. on March 18, 2004, at the Conneaut Public Library (Meeting Room), 304 Buffalo Street, Conneaut, Ohio 44030. The public hearing will end when all interested parties have 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 proposed project. 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.

Ohio EPA will continue to accept written comments on the application through the close of business on March 25, 2004. Comments received after this date may not be considered as part of the official record of the hearing. Anyone may submit written comments or request to be placed on a mailing list for information by writing to : Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049.

PUBLIC NOTICE

**DIRECTOR'S FINAL FINDINGS AND ORDERS
Variance from Scrap Tire Storage Requirements**

Notice is hereby given that on January 15, 2004, the director of Ohio EPA issued Final Findings and Orders to Rumpke of Ohio, LLC, 10795 Hughes Road, Cincinnati, OH 45251. Rumpke is the owner and operator of a mobile scrap tire recovery facility (Facility) that is currently located on property owned by D&R Recyclers, Inc. in Butler County at 3851 South Street, Hamilton, Ohio. The Orders grant Rumpke of Ohio, LLC a variance from certain scrap tire storage requirements for its mobile scrap tire recovery facility. Pursuant to OAC Rule 3745-27-03(C), Rumpke is hereby granted a variance from the requirements of OAC Rule 3745-27-67(G) that limit the size of the scrap tire storage piles at the Facility. These Orders shall expire when Rumpke removes its mobile scrap tire recovery facility from the D&R Recyclers Inc. property, unless otherwise authorized by Ohio EPA. These Final Findings and Orders are subject to all rules, regulations, and specified conditions. 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.

Jefferson County

**PUBLIC NOTICE
RECEIPT OF PERMIT TO INSTALL APPLICATION
(PTI #06-07409)**

Notice is hereby given on January 14, 2004, of the receipt of a Permit to Install application (PTI #06-07409) for Apex Energy, Inc. (Applicant), Apex Sanitary Landfill (Facility Name), P.O. Box 1298, Steubenville, Jefferson County, Ohio 43952. The application was received by Ohio EPA on January 8, 2004, for a maximum allowed daily waste receipt increase from the currently permitted 1,500 tons per day to 5,250 tons per day. The application may be reviewed in accordance with Ohio EPA's file review procedures by writing to Ms. Angie Hardesty, Ohio EPA Southeast District Office, 2195 Front Street, Logan, Ohio 43138, tel: (740) 385-8501.

Date of Notice: January 16, 2004

Lucas 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 renewal of a National Pollutant Discharge Elimination System (NPDES) permit for the discharge from the existing Toledo Hoffman Road Landfill disposal system. The NPDES application was submitted by the City of Toledo, Department of Public Service, Division of Solid Waste, 3962 Hoffman Road, Toledo, Ohio 43611.

The disposal system submitted for approval is proposed to treat wastewaters associated with a newly installed sedimentation basin to serve ditches within the landfill access roads that receive stormwater runoff. The system is located at 3962 Hoffman Road, Toledo, Lucas County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to Mud Creek and subsequently Maumee Bay to Lake Erie.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of Mud Creek and subsequently Maumee Bay to Lake Erie. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1, will not be exceeded. In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality.

The contents of the above stated application indicate an exclusion from various portions of the antidegradation review and information submittal requirements applies as outlined by section 3745-1-05(D)(1) of the antidegradation rule (effective as of October 1, 1996). The exclusion relates to a de minimis net increase in the discharge of a regulated pollutant.

Copies of the pending NPDES application are available for review at Ohio EPA's Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio, (419) 352-8461. An Ohio EPA public hearing on the proposed project has been scheduled for 7:00 P.M. on March 8, 2004 at the Toledo City Hall, One Government Center, Suite 2140, Toledo, Ohio 43604. All persons attending the meeting will be required to show official identification to enter the Government Center. 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.

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 March 15, 2004. Comments received after this date may not be considered as part of the official record.

Date of Public Notice: January 20, 2004

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 a project to construct the Centerpointe Business Park consisting of 30 lots and support structures. Approximately 54,700 cubic yards of fill material would be used to fill 5,031 linear feet of unnamed tributaries to Meander Creek and Fourmile Run, and 16 wetland areas totally 11.3 acres. The application was submitted by Route 46 Land Partners, Ltd., 5050 Belmont Avenue, Youngstown, Ohio. The project is located near the intersection of State Route 46 and I-80 and bisected by State Route 11 in Austintown Township, Mahoning County. The Pittsburgh District Corps of Engineers Application Number for this project is 200201203. The Ohio EPA ID Number for this project is 038224.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Meander Creek and Fourmile Run. 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 20, 2004, 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 DRAFT RENEWAL HAZARDOUS WASTE PERMIT TO
DuPONT ELECTRONIC POLYMERS L.P., DAYTON, OHIO**

On January 15, 2004, Ohio EPA issued a draft renewal Hazardous Waste Facility Installation and Operation Permit (Permit) to DuPont Electronic Polymers L.P. for its facility at 1515 Nicholas Road, Dayton, Ohio 45418. The EPA Identification Number for this facility is OHD004855292.

Why does DuPont Electronic Polymers L.P. need a Permit?

DuPont Electronic Polymers L.P. (DuPont) operates a micro-electronic and developmental production plant involved in the manufacture of chemical products for the electronic industry. From these activities, hazardous wastes are generated and stored on-site in containers for greater than 90 days. DuPont wishes to continue to store hazardous waste in containers. The draft renewal Permit contains the conditions under which the facility must operate if the Permit receives final approval. To issue this draft 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 and demonstrates sufficient reliability, expertise and competency to operate a hazardous waste facility under this chapter and Chapters 3704. and 6111. of the Revised Code, all rules and standards adopted under them, and terms and conditions of a hazardous waste facility installation and operation permit, given the potential for harm to the public health and safety and the environment that could result from the irresponsible operation of the facility. When issued, the renewal Permit will require DuPont to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility. Details about this draft action can be viewed on Ohio EPA's Web site under Stakeholders Involvement at <http://web.epa.state.oh.us/dhwm/>

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

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

When and where will Ohio EPA hold a Public Meeting?

Ohio EPA will hold a public meeting on February 19, 2004, at 7:00 p.m. It will be at the Dayton & Montgomery County Public Library, Main Branch, 215 East Third Street, Dayton, Ohio 45402, tel, (937) 227-9500, in the library Meeting Room, 2nd floor.

When and how do I submit written comments?

You can submit written comments anytime between January 16, 2004, and March 1, 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: dhwmcomments@epa.state.oh.us.

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

You can review these at one of the following locations:

Dayton & Montgomery County Public Library, Main Branch, 215 East Third Street, Dayton, Ohio 45402 (937); 227-9500;

Ohio EPA Southwest District Office, 401 East Fifth Street, Dayton, Ohio 45402 (937) 285-6357;

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

What will Ohio EPA do with the comments?

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

**PUBLIC NOTICE
OHIO EPA RECEIVES HAZARDOUS WASTE CLOSURE PLAN**

On December 26, 2003, Ohio EPA received a hazardous waste closure plan from the Richland Moulded Brick Company concerning two container storage units located at 1000 Richland Shale Road, Mansfield Ohio 44903. The EPA Identification Number for this facility is OHR000011221.

Why is Richland Moulded Brick submitting this Closure Plan?

At the request of Ohio EPA, Richland Moulded Brick Company, Inc. submitted this closure plan. The plan includes the removal of accumulated calcine (derived from electric arc furnace dust) and closure of the calcine storage area. Closure also includes the baghouse associated with the calcining kiln in addition to the removal and disposal of air filtration bags. Removal of the waste will be achieved by directly loading it into trucks for transportation to a licensed disposal facility. Decontamination of the units and equipment will be performed via a high-pressure, low-volume wash. Soil remediation standards, air emissions and washwater removal activities are also discussed in detail. Following the successful implementation of this plan, closure certification documentation will be provided to Ohio EPA.

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

You can submit written comments anytime between January 16, 2004 and February 14, 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:

Mansfield-Richland County Public Library, Madison Branch, 1395 Grace Street, Mansfield, Ohio 44903, tel: (419) 589-7050;

Ohio EPA, Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402, tel: (419) 352-8164, and;

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

**PUBLIC NOTICE
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (EPA) and Defendant Thomas Steel Strip Corporation have entered into a proposed Consent Order to resolve Thomas Steel Strip Corporation's noncompliance with Ohio's Water Pollution Control Regulations. The proposed Order addresses wastewater effluent violations at Thomas Steel Strip Corporation, located at Delaware Avenue, Northwest, Warren, Trumbull County. The proposed Consent Order would require that Defendant properly operate and maintain the Thomas Steel Strip Corporation 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 \$250,000 for violations of 6111. The Consent Order requires the payment of the civil penalty within 30 days of its final entry date. In lieu of an additional \$50,000 civil penalty, Defendant is required to pay \$50,000 towards a supplemental environmental project to support the Mahoning River, Ohio Environmental Dredging Project. The Consent Order requires the payment of the supplemental environmental project within 30 days of its final entry date.

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

Compliance and Enforcement Unit Supervisor, DSW
Ohio EPA, Northeast District Office
2110 East Aurora Road
Twinsburg, Ohio 44087

Written comments should be submitted to Ohio EPA, Northeast District Office at the above address. Written comments should be submitted on or before **February 18, 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 19, 2004**. The State of Ohio and Thomas Steel Strip Corporation reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

Date of Public Notice: January 20, 2004

Union 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 relocate 1,850 feet of an unnamed tributary to construct two storm water detention / treatment ponds. The application was submitted by Honda of America Manufacturing, Inc., 24000 Honda Parkway, Marysville, Ohio 43040. The project is located on Johnson Road, near Honda Plant Gate T/701. The Huntington District Corps of Engineers has issued a Nationwide 43 for this permit. The Ohio EPA ID Number for this project is 048384.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Flat Branch, Big Darby 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 January 20, 2004, 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.