

## **PUBLIC NOTICE**

### **DIRECTOR'S FINAL FINDINGS AND ORDERS**

Notice is hereby given that on January 16, 2004, the director of Ohio EPA issued Final Findings and Orders to Central Waste, Inc. ("Respondent"), 12003 Oyster Road, Alliance, Ohio 44601. Within two hundred seventy (270) days after the effective date of these Orders, Respondents shall execute and fund a financial assurance mechanism meeting the requirements of OAC Rules 3745-27-15(E) and 3745-27-16(E). Respondents shall fund the financial assurance mechanism in the amount of \$2,381,182.00. If Central Waste fails to execute and fund financial assurance in accordance with the Orders, Central Waste is required to begin final closure activities and have such closure completed within 180 days, and pay a civil penalty of \$76,480.00 in accordance with a payment schedule, which ends 120 days after the effective date of the Orders. 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.

**Date of Public Notice: January 27, 2004**

**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 impact 0.245 acres of wetlands and 1,827 feet of unnamed tributaries of Big Creek to construct a 66 acre retail development. The application was submitted by Debartolo Property Group, LLC, 30195 Chagrin Boulevard, Suite 108W, Pepper Pike, Ohio 44124. The project is located southwest of Center Street near the intersection with Seventh Avenue, Chardon, Geauga County, Ohio. The Buffalo District Corps of Engineers number for this project is 2003-00450(3). The Ohio EPA ID Number for this project is 048444.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in tributaries of Big Creek in the Grand 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 January 27, 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.

**Date of Public Notice: January 28, 2004**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATIONS AND PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received applications for, and has begun to consider whether to issue or deny, Clean Water Act Section 401 certifications for the following four projects located in the waters of Lake Erie:

- 1) Applicant: Albert K Barschow  
Applicant Address and Project Location: 95 Coveland Dr, Avon Lake, OH 44012, Lorain County  
Project Description: Construction of a concrete block seawall  
Corps of Engineers' Public Notice Number: (B)2004-00214(0)  
Ohio EPA ID Number: 037882
- 2) Applicant: Alex Hahn  
Applicant Address: 3100 Waterfall Way, Westlake, OH 44145  
Project Location: 32196 Lake Rd, Avon Lake, Lorain County, Ohio  
Project Description: Construction of a concrete block seawall and an L-shaped timber crib pier  
Corps of Engineers' Public Notice Number: (B)2004-0027(0)  
Ohio EPA ID Number: 037883
- 3) Applicant: John Homm Jr.  
Applicant Address: 408 Lookout Court, Avon Lake, OH 44012  
Project Location: 32188 Lake Rd, Avon Lake, Lorain County, Ohio  
Project Description: Construction of a concrete block seawall  
Corps of Engineers' Public Notice Number: (B)2004-00086(0)  
Ohio EPA ID Number: 037902
- 4) Applicant: John F. Kukucz  
Applicant Address and Project Location: 4190 Menlo Park Lane, Vermilion, OH 44089, Lorain County  
Project Description: Construction of an L-shaped concrete block pier  
Corps of Engineers' Public Notice Number: (B)2003-02095(1)  
Ohio EPA ID Number: 037962

The discharges from these activities, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie (HUC 04120200). The review of the applications will be conducted, and a decision whether to grant or deny the applications 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 July 1, 2003), apply or may be granted by the Director of Ohio EPA.

Beginning January 28, 2004, copies of the applications for the certifications 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 Northwest District Office by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on March 25, 2004 at 6:30 p.m. at the Avon Lake Public Library (McMahon Room), 32649 Electric Boulevard, Avon Lake, Ohio 44012. 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 project and all persons who do so may, at the discretion of the presiding officer, be questioned by others 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. 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 April 1, 2004. 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 wishing 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 April 1, 2004.

**Date of Public Notice: January 27, 2004**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF ISOLATED WETLAND PERMIT  
APPLICATION (LEVEL 2)**

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, an Isolated Wetland Permit (Level 2) for an after the fact project to fill 1.12 acres of Category 2 wetlands to build athletic fields. The application was submitted by Minerva Local Schools, 303 Latzer Avenue, Minerva, Ohio 44657. The project is located at 600 East Line Street, Minerva, Stark County, Ohio. The Ohio EPA Number for this project is 048526.

The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Ohio Revised Code (ORC) Sections 6111.02 to 6111.028 and other applicable provisions of state laws. Other alternatives as proposed by the applicant resulting in less adverse impact to the isolated wetland ecosystem, will be considered by Ohio EPA during the review process.

Starting January 27, 2004, copies of the application 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 20 days of the date of this public notice.

**Date of Public Notice: January 29, 2004**

**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, 401 Certification for a project (Preferred Alternative) that is estimated to impact jurisdictional streams and a jurisdictional wetland in Trumbull County, Ohio. The project primarily involves the widening and vertical realignment of sections of State Route 46, relocation of a section of Raglan Drive, and construction of turn lanes, in Trumbull County, Ohio. The application was submitted by the Ohio Department of Transportation (ODOT), 1980 West Broad Street, Columbus, Ohio 43223. The Ohio EPA Identification Number for this project is 048628. The U.S. Army Corps of Engineers, Pittsburgh District, Public Notice Number is 200301991. ODOT's ID # is TRU-46-9.34, PID 17940.

The impacts from the activity, if approved, would result in degradation to, or lowering of, water quality of an estimated total of 520 linear feet of two unnamed tributaries to Mosquito Creek and 0.56 acres of a Category 1 emergent wetland, in the Mahoning River watershed in Howland Township, Trumbull County, Ohio. The review of the application shall be conducted in accordance with Chapters 3745-1 and 3745-32, and other applicable provisions of the Ohio Administrative Code (OAC), including OAC 3745-1-05, before deciding whether to allow a lowering of water quality. Ohio EPA shall consider other alternatives during the review process that result in lesser or no degradation or lowering of water quality.

Starting January 29, 2004, copies of the 401 certification and associated information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Information on the 401 certification can be made available at Ohio EPA Central District Office 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: January 27, 2004**

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

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to expand the CSX-Walbridge railroad yard facility. The preferred alternative is proposed to impact 5.93 acres of Category 1 wetlands. The minimal degradation alternative proposes to impact 2.55 acres of Category 1 wetlands. The application was submitted by CSX Transportation, c/o Charles S. Bailey, 4901 Belfort Road, Suite 130, Jacksonville, Florida 32256. The project is located the CSX-Walbridge railroad yard facility near S.R. 795 and Luckey Road in Lake Township, Wood County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is (B)2003-02179. The Ohio EPA ID Number for this project is 048445.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Cedar Creek in the Portage River watershed (HUC 04100010). 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 27, 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.