

Public Hearing
Ohio Environmental Protection Agency
Proposed Amendment of Ohio Administrative Code Rules
3745-14-01 General Provisions, 3745-14-03 The NOx Budget Permit, and
3745-14-05 NOx Allowance Allocations

Notice is hereby given that the Director of Environmental Protection ("Ohio EPA") proposes to amend the following rules of the Ohio Administrative Code ("OAC"), which regulate the NOx Budget Trading Program.

3745-14-01	General Provisions
3745-14-03	The NOx Budget Permit, and
3745-14-05	NOx Allowance Allocations

These amendments remove CO boilers associated with FCC units at petroleum refineries from regulation under the NOx Budget Trading Program, assign NOx allowances to a Premcor boiler not identified in the original rules, and correct two rule citation errors in the original rule. The rule was submitted for interested party review for 30 days on October 21, 2003.

Pursuant to Chapter 119.03 of the Ohio Revised Code, a public hearing on this rule review will be conducted on March 11, 2004 at 10:00 a.m. at, Ohio EPA, Lazarus Government Center, Conference Room 5B, 122 South Front Street, Columbus, Ohio, 43215.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on this rule review. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on March 12, 2004, will be considered by Ohio EPA prior to final action on this rule review. Written statements submitted after March 12, 2004, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

This rule is available on the Web page for electronic downloading by clicking on "regulations" under the " topics" drop-down box and scrolling down to OAC 3745-14, "Nitrogen Oxides - Budget Trading Program". The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Jim Tichich at Ohio EPA, (614) 644-4844, jim.tichich@epa.state.oh.us, or mailed to Jim Tichich, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
UPDATE OF STATE WATER QUALITY MANAGEMENT PLAN

Notice is hereby given that the State of Ohio is reviewing the following amendments to Areawide Waste Management Plans (Section 208 of the Clean Water Act), prepared and adopted by three designated planning agencies, for inclusion in the State Water Quality Management Plan.

Toledo Metropolitan Area Council of Governments (TMACOG) - "208" Areawide Water Quality Management Plan, Chapters 3 - 7, October 2003

Northeast Ohio Four County Regional Planning and Development Organization (NEFCO) -
1) Clean Water Plan, 208 Lake Erie Basin Water Quality Management Plan, June 2003
2) Lake Erie Basin Plan amendments (10)
3) Ohio EPA Addendum to Wastewater Management Facility Planning - NEFCO

Northeast Ohio Areawide Coordinating Agency (NOACA) - Clean Water 2000 Water Quality Management Plan Facility Planning Area Boundary update of December 2003

Pursuant to applicable regulations, the State of Ohio has authority to certify that 208 plans prepared by designated planning agencies include the required plan elements, are consistent with one another, and are consistent with basin plans.

In order to afford all potentially affected parties the opportunity to comment, Ohio EPA will hold two public meetings: Tuesday, March 23, 2004 at 6:00 PM at the Ohio EPA, Northeast District Office, 2110 East Aurora Rd., Twinsburg; and Wednesday, March 24, 2004 at 6:00 PM at the Ohio EPA Northwest District Office, 347 North Dunbridge Rd., Bowling Green.

All interested persons are entitled to attend or be represented at the meetings and give written or oral comments relative to the certification of the plan amendments. Written comments may be filed with the presiding officer at the hearing or with Ohio EPA (Attn: Dan Dudley, Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049) by the close of business on Wednesday, March 31, 2004.

Instructions on obtaining copies of the plan amendments under review are available on the Ohio EPA, Division of Surface Web page: www.epa.state.oh.us/dsw, or by calling (614) 644-2876.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
ISSUANCE OF A CERTIFIED PROFESSIONAL CERTIFICATE

Notice is hereby given that on February 6, 2004, The Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code Section 3746.04 (B)(5) and Ohio Administrative Code Rule 3745-300-05, issued a professional certificate to Steven G. Roach, CP275, to perform work as a certified professional under the Voluntary Action Program. .

The issuance of this Certification is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 236 East Town Street, Room 300, Columbus, Ohio 43215.

If you would like to review the certificate, or any documents related to the certificate, please contact Kay Hughes, Records Management Officer, at Ohio EPA, Division of Emergency and Remedial Response, 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
ITT Jabsco Property**

Notice is hereby given that on February 4, 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, denied the Request for a Covenant Not To Sue in Final Findings and Orders for the property identified as the ITT Jabsco Property (the "Property").

A No Further Action Letter (02NFA132) was initially issued for the Property on April 16, 2002 by Lawrence S. Graves, Certified Professional Number 163. The approximately 3.4 acre Property is located at 501 West Liberty Street, in the city of Springfield. The No Further Action Letter was submitted to the Ohio EPA Voluntary Action Program on behalf of the ITT Fluid Technology 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.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
REINSTATEMENT OF LABORATORY CERTIFICATION UNDER OHIO'S
VOLUNTARY ACTION PROGRAM

Notice is hereby given that on February 2, 2004, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(6) and Ohio Administrative Code ("OAC") 3745-300-04, issued a modified laboratory certificate to Biological & Environmental Control Laboratories ("BEC"), Inc., of 705 Front Street, Toledo, Ohio, granting the laboratory's request to reinstate certification under Ohio's Voluntary Action Program for the analytes, parameter group and methods that had been suspended. The modified certificate reflects changes to the previous certificate issued to BEC under the Voluntary Action Program, and reinstates certification for Chromium by method 7191, Selenium by method 7740, and Semi-Volatile Organic Compounds by method 8270C. The certification number assigned to BEC remains CL0007.

The issuance of this certificate is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, Columbus, OH 43215.

If you would like to review a copy of the certificate, or any documents related to the laboratory's certification, please contact Kay Hughes, Records Management Officer, at Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE
EXTENSION FOR THE USE OF PORTABLE EQUIPMENT**

Pursuant to OAC 3745-27-65(N)(6), notice is hereby given that on February 6, 2004, the director of the Ohio EPA authorized Liberty Tire Services of Ohio, LLC, 14864 Lincoln St., S.E., Minerva, Ohio 44657, to operate a mobile scrap tire recovery facility at the McMaster tire site for an additional 60 day period. The mobile shredder may thus be operated at this location until May 22, 2004. Please be aware that OAC 3745-27-65(N)(6)(a) only allows for a one time extension of 60 days. Should additional time beyond the May 22, 2004, deadline be required, Liberty Services of Ohio, LLC must comply with the requirements contained in OAC 3745-27-67. This approval is subject to all rules, regulations, and specified conditions. This final action may be appealed to the Environmental Review Appeals Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

PUBLIC NOTICE
OHIO EPA RECEIVES AMENDED HAZARDOUS WASTE CLOSURE PLAN

On February 10, 2004, Ohio EPA received an amended hazardous waste closure plan from Advanced P.M.C., Inc. concerning a former container storage area located at 714 2nd Street S.E., Canton, Ohio 44707. The EPA Identification Number for this facility is OHD981952047.

Why is Advanced P.M.C. submitting this Closure Plan?

At the request of Ohio EPA, Advanced P.M.C. submitted this closure plan. The plan describes a container area in the basement of the site. The closure plan includes wash and rinsing procedures of the area floors and walls, sampling of wash and rinse water, and disposal of the wash and rinse waters. This amended plan describes the full closure of one RCRA unit and was prepared to indicate that the closure performance standard was met by performing three washes and three rinses and not by meeting a numerical standard. A description of the facility and of the RCRA unit is included in Section 2.0 and 3.0 of this plan. Other aspects of the plan include the preparation of a site-specific health and safety plan, closure certification preparation and a closure cost summary.

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

You can submit written comments anytime between February 17, 2004 and March 17, 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:

Stark County District Library, DeHoff Memorial Branch, 216 Hartford Avenue SE, Canton, Ohio 44707, tel: (330) 452-9014,

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.