

PUBLIC NOTICE

FINAL ISSUANCE OF A CERTIFICATE OF REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE

Notice is hereby given that on February 13, 2004, the director of Ohio EPA issued an infectious waste generator certificate to Lyric Health Care Holdings III, Inc., 11350 McCormick Rd, Ste LL3, Hunt Valley, MD 21031, ID No.: 00-G-01347. Persons wishing to be notified of further actions or proceedings 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. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 236 East Town Street, Room 300, Columbus, Ohio 43215.

PUBLIC NOTICE

FINAL ISSUANCE OF EMERGENCY REGISTRATION CERTIFICATES FOR A TRANSPORTER OF INFECTIOUS WASTE

Notice is hereby given that, on February 19, 2004 the director of Ohio EPA issued (1) one emergency infectious waste transporter certificates to Stericycle, Inc., 28161 N. Keith Drive, Lake Forest, IL 60045, ID No: 00-T-00199. Persons wishing to be notified of further actions or proceedings 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. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 236 East Town Street, Room 300, Columbus, Ohio 43215.

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

Public Notice

Proposed Rulemaking Governing

**Municipal, Industrial, and Residual Landfills, Scrap Tire and Composting
Facilities**

Notice is hereby given that the Director of Environmental Protection, under the authority of Chapter 3734 of the Ohio Revised Code and in accordance with Chapter 119, proposes to amend the following rules of the Ohio Administrative Code:

- 3745-27-01 Definitions.
- 3745-27-06 Sanitary landfill facility permit to install application.
- 3745-27-07 Additional criteria for approval of sanitary landfill facility permit to install applications.
- 3745-27-09 Sanitary landfill operating record.
- 3745-27-19 Operational criteria for a sanitary landfill facility.
- 3745-27-21 Solid waste transfer facility permit to install application.
- 3745-27-22 Additional criteria for approval of solid waste transfer facility permit to install applications.
- 3745-27-23 Operation of solid waste transfer facilities.
- 3745-27-24 Final closure of solid waste transfer facilities.
- 3745-27-42 Permit to install for class I solid waste composting facilities.
- 3745-27-45 Composting facility operations.
- 3745-27-46 Standards for compost products.
- 3745-27-50 Solid waste incinerator or solid waste energy recovery facility permit to install application.
- 3745-27-52 Operation of solid waste incinerator or solid waste energy recovery facilities.
- 3745-27-63 Class I scrap tire storage facility or class I scrap tire recovery facility permit to install.
- 3745-27-67 Mobile scrap tire recovery facilities.
- 3745-27-70 Scrap tire monofill facility permit to install application.
- 3745-27-71 Additional criteria for approval of scrap tire monofill facility permit to install applications.
- 3745-27-75 Operational criteria for a scrap tire monofill facility.
- 3745-29-06 Industrial solid waste landfill permit to install application.
- 3745-29-07 Additional criteria for approval of industrial solid waste landfill facility permit to install applications.
- 3745-29-19 Operational criteria for an industrial solid waste landfill facility.
- 3745-30-05 Residual waste landfill facility permit to install application.
- 3745-30-06 Additional criteria for approval of residual waste landfill facility permit to install applications.
- 3745-30-14 Operation of residual waste landfill facilities.

The purpose of this rulemaking is to incorporate revisions to the rules that include references to Chapter 3745-31. All of the rules that contain the references to this rule were changed to now state the reference as rule 3745-27-02, which became effective October 17, 2003. Other small changes have been made to these rules, but only include Legislative Service Commission (LSC) formatting changes, references that are inconsistent with other statutory or rule requirements, grammatical and typographical errors, and rules by reference which is a requirement established by SB 265. At the same time four of the rules in this package, 3745-27-21, 3745-27-22, 3745-27-23, and 3745-27-24 (transfer facilities), were reviewed to satisfy requirements mandated by Ohio Revised Code (ORC) Section 119.032 which requires all state agencies to review each of their rules every five years to determine whether or not to continue the rules without change, amend the rules, or rescind the rules. These four rules were last reviewed and made effective January 31, 1999.

A Public Hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held at Ohio EPA, 122 S. Front Street, Columbus, Ohio, 5th floor, Conference Room A on March 25, 2004, at 10:00 am.

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rulemaking.

Written testimony should be sent to the attention of Amanda Graham at the Division of Solid and Infectious Waste Management, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on March 25, 2004, will be considered by the Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Amanda Graham, at the Division of Solid and Infectious Waste Management, at (614) 728-5372.

To receive a copy of the proposed rules, please contact the DSIWM receptionist at (614) 644-2621. The proposed rules are also accessible on DSIWM's web page at <http://www.epa.state.oh.us/dsiwm>.

PUBLIC NOTICE

Notice is hereby given that on February 13, 2004, the Division of Hazardous Waste Management (DHWM) released the revised generic risk-based cleanup numbers (GCNs). The GCNs currently accepted by Ohio EPA-DHWM, and published as part of Closure Plan Review Guidance for RCRA Facilities (CPRG), were developed to assist facilities with units undergoing closure in determining if remediation is necessary. The GCNs are based on current toxicological data, and must be regularly updated to reflect new information. The current additions and updates were made to address chemicals with updated toxicity data, and to correct minor errors in the previous version. There has been no change in the methodology used to generate the GCNs. You can obtain a copy of the GCNs and corresponding chemical specific input values at <http://www.epa.state.oh.us/dhwm/pdf/GCNTablesFinal.pdf>. If you would prefer to receive a copy by mail, please contact Angela Scott-Owens at 614-644-2944.

Date of Public Notice: February 26, 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 construct an expansion facility for the House of LaRose . As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would impact a total of 1.06 acres of wetlands. The applicant's minimal degradation alternative would impact 0.47 acres of wetlands. The applicant's non-degradation would have no direct impacts on streams or wetlands. The application was submitted by Holar Properties, LLC, 4223 E. 49th Street, Cuyahoga Heights, Ohio 44125. The project is located east of Brecksville Road, north of Snowville Road, Brecksville, Oh. The Army Corps of Engineers number for this project is 200302060. The Ohio EPA number for this project is 049350.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in the Cuyahoga River (04110002). 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 February 26, 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: February 24, 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 construct a regional stormwater detention basin for the Beechmont Mall. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would impound a total of 1,100 linear feet of stream and 0.086 acres of wetlands. The applicant's minimal degradation alternative would impact 800 linear feet of stream and 0.086 acres of wetlands. The applicant's non-degradation would have no direct impacts on streams or wetlands. The application was submitted by Anderson Township, 7954 Beechmont Avenue, Anderson Township Ohio 45255-3192. The project is located east of Five Mile Road, north of Beechmont Mall, Anderson Township, Ohio. The Army Corps of Engineers number for this project is 200301569. The Ohio EPA number for this project is 048505.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in a tributary of Clough Creek, located in the Little Miami River basin (05090202). 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 February 24, 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 Notice: February 27, 2004

**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 BP Oil / Toledo Refinery. The disposal system is designed to treat 34,704,000 gallons per day of industrial wastewaters associated with a petroleum refinery. The disposal system is located at 4001 Cedar Point Road, Oregon, Lucas County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to Maumee Bay and Lake Erie. Other wastewater disposal alternatives resulting in lesser or no degradation or lowering of water quality will be considered by Ohio EPA.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of Maumee Bay and 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 April 15, 2004, at the Toledo City Hall, Council Chambers, One Government Center, Suite 2140, Toledo, Ohio 43604. 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 April 22, 2004. Comments received after this date may not be
considered as part of the official record.

PUBLIC NOTICE

OHIO ENVIRONMENTAL PROTECTION AGENCY

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Sections 3745.01 and 6109.04 of the Ohio Revised Code, has issued Final Findings and Orders to the Village of South Amherst to ensure that the Village of South Amherst's public water system is operated in compliance with the State's safe drinking water laws. These Final Findings and Orders provide the Village of South Amherst with a schedule for resolving its drinking water violations. This final action will be effective on February 17, 2004, and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be filed with the ERAC within thirty (30) days after notice of the Director's action. A copy of the appeal must be served upon the Director of the Ohio Environmental Protection Agency within three (3) days of filing at the ERAC. The ERAC's address is:

Environmental Review Appeals Commission
309 South Fourth Street
Room 222
Columbus, Ohio 43215

Date of Public Notice: February 24, 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 construct a residential development. The preferred design would impact 6,208 linear feet of stream and 10.59 acres of wetlands. The minimal degradation design would impact 2,923 linear feet of stream and 4.12 acres of wetlands. The non-degradation design allows no impacts to streams or wetlands. The application was submitted by JF Development, 387 Medina Rd, Suite 400, Medina, Ohio 44256. The project is located northeast of the intersection of Interstate 71 and Grafton Rd, Medina County, Brunswick, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 2002-02310(1). The Ohio EPA ID Number for this project is 037802.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Healy Creek in the Rocky River Watershed (HUC 04110001). 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 February 24, 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: February 24, 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, an after-the-fact Clean Water Act Section 401 certification for a project to construct a single family residential development. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would impact a total of 670 feet of streams and 0.92 acres of wetlands with off-site mitigation for the impacts. The applicant's minimal degradation alternative would also impact 670 feet of streams and 0.92 acres of wetlands but mitigation for the impacts would occur on-site. The applicant's non-degradation would have no direct impacts on streams or wetlands. The application was submitted by Sydney's Bend, LLC, 2144 Bambridge Court, Miamisburg, Ohio 45342. The project is located at 3950 Medlar Road, City of Miamisburg, Miami Township, Montgomery County, Ohio. The Army Corps of Engineers number for this project is 200301255. The Ohio EPA number for this project is 037662.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in a tributary of Clear Creek, located in the Great Miami River basin (05080002). 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 February 24, 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: February 26, 2004

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

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 place revetment stone along 390 linear feet of Lake Erie shoreline in order to reduce erosion and create habitat. The application was submitted by Lakeshore Development, LLC, 26960 W. River Road, Perrysburg, Ohio 43551. The project is located a 1175-1235 W. Lakeshore Drive, Port Clinton, Ohio 43452. The Buffalo District of the U.S. Army Corps of Engineers has issued a Nationwide Permit #13 for this project. The Corp of Engineers' Project Number for this application is (B)2002-00839(0). The Ohio EPA ID Number for this project is 049310.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie (HUC 04120200). 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.

Beginning February 26, 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 the 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 Thursday, April 22, 2004 at 7:00 p.m. at the Port Clinton City Hall, 1868 E. Perry Street, Port Clinton, Ohio 43452. 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 Thursday, April 29, 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 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 Thursday, April 29, 2004.