

## **PUBLIC NOTICE**

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

Notice is hereby given that on February 27, 2004, the director of Ohio EPA issued Interim Final Findings and Orders to Elkem Metals Company - Ashtabula LP ("Respondent"), 1013 Centre Road, Wilmington, DE 19805 and Elkem Metals, Inc. ("Respondent"), Airport Office Park Building 2, 400 Rouser Road, Moon Township, PA 15108. "Respondent- Elkem - Ashtabula" owns and operates a calcium carbide production plant located at 2700 Lake Road East in Ashtabula, Ohio. "Respondent Elkem Metals, Inc." is a general partner of Elkem Metals Company- Ashtabula LP. The Director's Interim Final Findings and Orders issued to Respondents on September 15, 2003, are hereby modified as follow: 1.) Paragraph 8 of Section V. Orders, shall be modified to read: These Orders will terminate on June 1, 2004, unless otherwise modified and extended by the Director of Ohio EPA in writing prior to the date of termination. The mere pendency of a request for a modification and extension of these Orders by Respondents shall not be construed to imply that a modification and extension is granted. These Orders may be modified only through written authorization of the Director of Ohio EPA. 2.) All other provisions of Section V. Orders shall remain unchanged and in full effect. These orders are subject to all to all rules, regulations, and specified conditions. This action was not preceded by a proposed action. Persons wishing to be on Ohio EPA's 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.

**Date of Public Notice: March 9, 2004**

**OHIO ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC NOTICE**

**UPPER SANDUSKY RIVER WATERSHED TOTAL MAXIMUM DAILY LOAD REPORT**

Public 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 Upper Sandusky River Watershed Total Maximum Daily Load Report (TMDL) Document. Ohio EPA developed the Document in fulfillment of Section 303(d) of the Clean Water Act which requires the identification of impaired waterbodies for which technology based effluent limitations are not stringent enough to achieve applicable water quality standards and to develop Total Maximum Daily Loads for such waters. The Document addresses impairments in seven subwatersheds within the upper Sandusky River watershed that appear on the Ohio 2002 303(d) list. The impaired waters are located in the counties of **Crawford, Wyandot, Seneca, Richland, Huron, Marion, and Hardin.**

All interested persons wishing to submit comments for Ohio EPA's consideration may do so in writing to Ohio EPA, Northwest District Office, 347 North Dunbridge Road, Bowling Green, OH 43402, Attn: Dan.Glowski, or by email to [dan.glowski@epa.state.oh.us](mailto:dan.glowski@epa.state.oh.us) by the close of business, April 9, 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.

To obtain a copy of the Document or other information, or to arrange to inspect Agency files or records pertaining to the Document, or to request notice of when Ohio EPA submits the Document to USEPA, please contact Dan Glowski at the address above or by calling (419) 373-3025. The Document will be posted (on or before March 9, 2004) to the Ohio EPA Division of Surface Water Web site <http://www.epa.state.oh.us/dsw/tmdl>.

**PUBLIC NOTICE**  
**Approval of alternative compliance timeline for Shaw EMCON/OWT, Inc.**  
**Glenwillow Landfill**

Public Notice is hereby given that on March 5, 2004, the Director of the Ohio Environmental Protection Agency (EPA) approved a request for an alternative compliance timeline for the Glenwillow Landfill. The request for the alternative schedule is in accordance with Ohio Administrative Code rule 3745-76-10(A)(5) and covers corrective actions associated with the landfill gas collection and control system; specifically gas wells 60 thru 63.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 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 within thirty (30) days after the 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

Questions concerning this action may be directed to Jim Braun, Cleveland Division of Air Quality at (216) 664-2324.

**PUBLIC NOTICE**

Notice is hereby given that on March 2, 2004, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit (Level 3) to Defiance County Environmental and Administrative Services, 500 Court Street, Suite E, Defiance, Ohio 45512. The permit was issued for a project to expand the existing Defiance County Sanitary Landfill. 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.

**Date of Public Notice: March 12, 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 applications for, and has begun to consider whether to issue or deny, Clean Water Act Section 401 certifications for a project to construct a 563 linear foot armor stone revetment lakeward of an existing steel sheet bulkhead and lakeward of a rubble shoreline on Lots 1-6 at the Cottage Cove Subdivision on Sail Away Drive, Erie County, Huron, Ohio.

The application for Lots 1, and 3-6, was submitted by Steven and Tami Johnson. The preferred and minimal degradation alternatives both impact 503 linear feet of Lake Erie shoreline. The preferred alternative would extend lakeward approximately 29 feet and the minimal degradation alternative would extend lakeward approximately 24 feet. The U.S. Army Corps of Engineers (Buffalo District) Public Number for this project is 2003-02316(0). The Ohio EPA ID Number for this project is 038145.

The application for Lot 2 was submitted by Daniel and Tina Frederick. The preferred and minimal degradation alternatives both impact 60 linear feet of Lake Erie shoreline and have identical lakeward impacts of 29 or 24 feet, as proposed above. The U.S. Army Corps of Engineers (Buffalo District) Public Number for this project is 2004-00036(0). The Ohio EPA ID Number for this project is 038144.

The discharges from these activities, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. 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 applications 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.

Beginning March 12, 2004, copies of the applications 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.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 6:30 p.m. on Thursday, April 29, 2004, at the Huron Public Library,

333 Williams Street, Huron, Ohio 44839. 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 May 7, 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  
NOTICE OF PUBLIC HEARING  
OHIO ENVIRONMENTAL EDUCATION FUND AGENDA**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Office of Environmental Education (OEE) will conduct a public hearing to solicit input on the draft annual agenda for the Ohio Environmental Education Fund (OEEF) for the 2005 fiscal year.

The draft annual environmental education agenda describes proposed public outreach activities of the Office of Environmental Education, and proposed priorities for expenditures and administration of the OEEF. The OEEF General Grant Program provides approximately \$1 million annually for projects costing up to \$50,000.00 each, and another \$100,000 is earmarked for Mini Grants to support small projects costing up to \$5,000.00 each, with streamlined application and review procedures.

The public hearing will be held on March 22, 2004 at 10:00 a.m. in Conference Room 5A of the Ohio Environmental Protection Agency Central Office, located at 122 South Front Street, Columbus, Ohio 43215. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the draft annual agenda.

All interested persons are entitled to attend or be represented and give written or oral comments on the draft annual agenda at the hearing. Written comments must be received by the Ohio EPA-OEE, Attention: Carolyn Watkins, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on March 27, 2004. Comments received after March 27, 2004, will not be considered as part of the official record of the public hearing. After the public hearing, the Director of Environmental Protection (Director) may make any modifications to the draft annual agenda that the Director considers appropriate based upon the comments received at the public hearing.

Copies of the draft annual agenda may be reviewed at Ohio EPA's Office of Environmental Education, 122 South Front Street, Columbus, Ohio, or requested by calling (614) 644-2873 or e-mailing [oeef@epa.state.oh.us](mailto:oeef@epa.state.oh.us). The draft annual agenda has also been posted on the OEE Web page at <http://www.epa.state.oh.us/oeef/>.

**Date of Public Notice: March 12, 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 housing development. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would fill a total of 1.6 acres of category 2 wetland. The applicant's minimal degradation alternative would impact 0.8 acres of wetlands. The applicant's non-degradation would have no direct impact on wetlands. The application was submitted by the Tuckerman Home Group, PO Box 91154, Columbus, OH 43209. The project is located 0.3 miles west of SR 62 on Central College Ave, New Albany, Franklin County, OH. The Army Corps of Engineers number for this project is 200300380. The Ohio EPA number for this project is 048364.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in Blacklick Creek, located in the Scioto River basin (05060001). 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 March 12, 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: March 9, 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 after-the-fact application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project that impacted approximately 290 linear feet of Cooper Creek to protect a 20" diameter natural gas pipeline. The application was submitted by Cincinnati Gas & Electric Company, 139 East Fourth Street, Cincinnati, Ohio 45202. The project is located behind the residence of 2524 Kathwood Circle, Cincinnati, Ohio. The Louisville District Corps of Engineers ID Number for this project is 200200165. The Ohio EPA ID Number for this project is 049009.

The discharges from the activity, if approved, may result in degradation to, or lowering of, the water quality of Cooper Creek. 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 March 9, 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 RECEIVES NEW HAZARDOUS WASTE CLOSURE PLAN**

On February 5, 2004, Ohio EPA received a new hazardous waste closure plan from Sun Chemical Corporation (Sun Chemical) concerning a concrete storage pad located at 471 East Bergey Street, Wadsworth, Ohio 44281. The EPA Identification Number for this facility is OHD004460333.

**Why is Sun Chemical submitting this Closure Plan?**

At the request of Ohio EPA, Sun Chemical submitted the closure plan. This plan provides a process description and closure site history of the Specialty Inks facility. Upon completion of the storage pad decontamination, no volatile or semi-volatile organic compounds, and contaminants of concerns (COC) were detected in the rinseate soil sample. Additionally, the plan discusses a Risk-based Closure of Remaining soil COCs, and the mobility of ground water COCs. Other topics included in the plan are the schedule for closure, remaining closure activities, certification and financial assurance documentation, to name a few.

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

You can submit written comments anytime between March 5, 2004 and April 3, 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](mailto:dhwmcomments@epa.state.oh.us).

**Where can I review the Closure Plan?**

You can review the Closure Plan at the following locations:

**Ella M. Everhard Public Library**, 132 Broad Street, Wadsworth, Ohio 44281, (330) 334-5761;

**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.

**PUBLIC NOTICE**

Notice is hereby given that on March 2, 2004, the Director of Ohio EPA and the Meigs County Commissioners ("Respondent") entered into Final Findings and Orders to resolve violations at the Meigs County Landfill located on Salisbury Township Road 207 in Meigs County, Ohio. These Findings and Orders require the Respondent to record a notation on the deed to the landfill property that will notify any potential purchaser of the property that the land has been used as a sanitary landfill facility, conduct regular inspections of the landfill to identify and correct any leachate outbreaks, maintain the landfill cap system, and install a leachate collection system. Respondents may request additional time to preform the tasks required under the orders on account of a financial inability to preform the required tasks by submitting to the Director for approval documentation demonstrating a financial inability to preform the required work and documentation demonstrating a good faith effort on behalf of the respondent to pursue financing. These 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.

**Muskingum County**

**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 Muskingum Watershed Conservancy District to ensure that the Atwood Resort public water system is operated in compliance with the State's safe drinking water laws. These Final Findings and Orders provide the Muskingum Watershed Conservancy District with a schedule for resolving its drinking water violations. This final action will be effective on February 27, 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

**Muskingum County**

**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 Muskingum Watershed Conservancy District to ensure that the Atwood Park public water system is operated in compliance with the State's safe drinking water laws. These Final Findings and Orders provide the Muskingum Watershed Conservancy District with a schedule for resolving its drinking water violations. This final action will be effective on February 27, 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