

PUBLIC NOTICE
Division of Drinking and Ground Waters
March 22, 2003
Rule-Making

Notice is hereby given that the Division of Drinking and Ground Waters (DDAGW) has proposed modifications to the rules in Chapter 3745-89 the Ohio Administrative Code (OAC) that govern the certification of laboratories that perform analyses of water for compliance with safe drinking water regulations. These changes result from the five year rule review undertaken pursuant to Section 119.032 of the Ohio Revised Code (ORC) and are proposed to update the rules and enhance the implementation of the laboratory certification program. The proposed modifications were filed today with the Secretary of State, the Joint Committee on Agency Rule Review, and the Legislative Service Commission.

DDAGW proposed to amend the following Administrative Code rules:

- 3745-89-02 Analyses requiring laboratory certificate of approval
- 3745-89-03 Procedure for laboratory approval
- 3745-89-04 Renewal of laboratory certificate of approval
- 3745-89-09 Interim authorization for plant control tests

Rescissions were proposed for the following rules of the Administrative Code:

- 3745-89-01 Definitions
- 3745-89-05 Validity of laboratory certification
- 3745-89-06 Revocation of laboratory certification of approval
- 3745-89-08 Reporting of analytical results
- 3745-89-10 Provisional authorization

Finally, the Division proposed to replace the Administrative Code rules rescinded above with the following new rules:

- 3745-89-01 Definitions
- 3745-89-05 Requirements for maintaining laboratory certification
- 3745-89-06 Director's actions for laboratory certification
- 3745-89-08 Reporting of analytical results
- 3745-89-10 Interim authorization for new contaminants and new methods

A public hearing pursuant to §119.02 through §119.04 of the Ohio Revised Code will be conducted on April 27, 2004, beginning at 1:00 in room 5A at the Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, Ohio. A presiding officer will be present until all interested persons have been heard.

All interested persons are entitled to attend or be represented and give their written or oral comments on this proposed rule-making. To facilitate scheduling of oral presentations,

persons intending to give testimony at the hearing should ensure that Ohio EPA receives notice of such intent by 5:00 p.m. on April 23, 2004. Persons who provide Ohio EPA with prior notice will be heard ahead of persons who register at the hearing. To provide notice of intent to give oral comments at the public hearing, contact Kelly Butler, Ohio EPA, DDAGW, Lazarus Government Center, P. O. Box 1049, Columbus, Ohio 43216-1049.

In order to ensure that written comments are considered as part of the official record of this hearing, written comments must be received by Ohio EPA by the close of business April 27, 2004. Written comments on the proposed rules may be filed with the Hearing Clerk at the address above or with the presiding officer during the hearing.

To obtain a copy of the proposed rules, contact Donna Roberts at Ohio EPA at (614) 644-2755 or email at donna.roberts@epa.state.oh.us. Please request the "proposed laboratory certification rules" and, if a recorded message is left, be sure to include your name, telephone number, and complete mailing address. There is no charge for proposed rules. The proposed rules will also be available on the Agency web page until their adoption or withdrawal. The address is: <http://www.epa.state.oh.us/ddagw/oac.html>.

Questions concerning this proposed rule-making, other than obtaining copies of the proposed rules, may be addressed to Kelly Butler at the above address or by phone at (614) 644-2763. Email can be sent to kelly.butler@epa.state.oh.us.

PUBLIC NOTICE
Ohio EPA Finalizes Decision Document for
the Cooper Industries Site, Zanesville, Ohio

On March 15, 2004, Ohio EPA finalized a Decision Document identifying the selected alternative to remediate contamination at the Cooper Industries Site located on Pershing Road in Zanesville, Ohio (Muskingum County).

From 1938 until 1992, the primary industrial activity at the former Cooper Industries property was the manufacture of oil-filled transformers and voltage regulators. After operations ceased, Cooper Industries razed the plant during the period from May 1992 through 1993. At the present time, the property is used by the Muskingum County Agricultural Society primarily as a parking lot during the county fair for one week every August.

Investigations conducted at the Site reveal the presence of contaminated ground water. The primary contaminants of concern include trichloroethylene (TCE) and 1,1,1 - trichloroethane (1,1,1-TCA). Exposure to contaminated ground water could result in unacceptable risk to human health. However, the absence of potable water wells downgradient of the Site, and the availability of municipal water supplies limit the potential for human exposure to contaminated ground water.

The selected remedial alternative for the Site includes: 1) ground water monitoring to evaluate the effectiveness of the enhanced bioremediation implemented as a pilot study during the Remedial Investigation/ Feasibility Study process, 2) a contingency for additional bioremediation activities if previous bioremediation activities are not sufficiently decreasing concentrations of contaminants, and 3) enforcement of existing deed restrictions and implementation of new restrictions to reduce or eliminate potential exposure to impacted ground water.

On November 21, 2003, Ohio EPA issued a Preferred Plan that outlined Ohio EPA's preferred alternative to remediate contamination at the Site. A public meeting was held December 17, 2003, during which public comments on the Preferred Plan were accepted. In addition, written comments were accepted through January 2, 2004. The comments received by the Agency during the comment period are addressed in the Responsiveness Summary attached to the Decision Document.

A copy of the Decision Document has been provided to the John McIntire Library, located at 220 North Fifth Street, Zanesville. The Decision Document and related materials are available for review at Ohio EPA's Southeast district office by calling (740) 385-8501 to set up an appointment.

The effective date of this final action is March 15, 2004. This action of the Director of the Ohio EPA is final 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 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 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 EPA within three (3) days of filing at the ERAC. The ERAC is located at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

PUBLIC NOTICE

The natural resource trustees (U. S. Fish and Wildlife Service, Ohio EPA and the National Oceanic and Atmospheric Administration) announce the availability of the Initial Natural Resource Restoration Plan and Environmental Assessment for the Fields Brook Superfund Site. The purpose of this document is to present the trustees' preferred alternative to accomplish the goal of restoring, rehabilitating, replacing and/or acquiring the equivalent of those resources which have been injured by releases of hazardous substances within the Fields Brook watershed.

The documents are available for review and comment by the public. The review period is sixty (60) days from the date of this notice. A public meeting will be held near the middle of the public review period at a date and time to be announced. The trustees will present the plan to the public and will also welcome any comments. Comments will be accepted at the public meeting or in written form at any time during the 60 day review period. Anyone interested can obtain the documents by contacting Regan Williams via e-mail at Regan.Williams@epa.state.oh.us or at (330) 963-1210. Written comments can be submitted to Regan Williams, Ohio Environmental Protection Agency, 2110 East Aurora Road, Twinsburg 44087.

PUBLIC NOTICE

Preferred Plan Issued for the Zeidrich Dump Site, Columbiana County, Ohio

Public Hearing Scheduled on the Preferred Plan for the Zeidrich Dump Site, Columbiana County, Ohio

Public Notice is hereby given that on or about July 12, 2002, Ohio EPA will issue a Preferred Plan for the Zeidrich Dump Site ("the Site"), located in Columbiana County, Ohio. The Preferred Plan outlines Ohio EPA's preferred alternative for remediation of the Site. The Plan also summarized history of the Site, the Remedial Investigation Report and the Feasibility Study. These reports should be consulted for a full description of the investigation and alternatives evaluated for this site.

The Preferred Plan presents Ohio EPA's preferred alternative for the Zeidrich Dump Site, currently owned by TRW, Inc. Copies of the Preferred Plan and related materials are on file and may be reviewed at the Minerva Public Library, 123 Brock Avenue, Minerva, Ohio. These documents may also be reviewed at Ohio EPA's Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio, by first calling (330) 963-1200 and scheduling an appointment with Lily Aaron, Public Information Specialist / File Review Coordinator.

Ohio EPA will hold an information session, which will be followed by a public hearing, on August 14, 2002 in the library at Minerva High School, 501 Almeda Avenue, Minerva, at 7:00 p.m. At the information session, Ohio EPA will give a presentation regarding the proposed alternative for the Site as set forth in the Preferred Plan and Ohio EPA staff members will be available to answer questions about the Preferred Plan. After a short break, Ohio EPA will begin the hearing and accept comments on the Preferred Plan.

The Zeidrich Dump Site is located on East Line Street in West Township. The Site, which operated as a municipal and industrial dump from the early 1950s through 1970, accepted wastes from the TRW, Inc. facility in Minerva. These wastes included ceramic mold material, stainless steel and drummed waste consisting of caustic soda, baghouse dust, solvents and elemental mercury. Investigatory activities performed under an Administrative Consent Order between Ohio EPA and TRW, Inc. revealed contamination of surface soils, subsurface soils, ground water, surface water and sediments by metals and solvents. A full discussion of the findings of the remedial investigation may be found in the *Remedial Investigation* report which was approved by Ohio EPA. As previously mentioned, this report may be found either at the document repository in the Minerva Public Library or at Ohio EPA's Northeast District Office.

Ohio EPA will review and consider all comments made during the public comment period before making a final decision on the remedy selection. Public comments will be reviewed and considered on Ohio EPA's preferred alternative which is evaluated in the Preferred Plan. Written comments will receive the same consideration as comments made at the hearing. Written comments will be accepted from July 12, 2002, until August 30, 2002, and should be sent to Ohio EPA, Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio, 44087, Attn: Teri Phillips, Site Coordinator.

PUBLIC NOTICE
Sufficient Evidence Determination
under Ohio's Voluntary Action Program

Notice is hereby given that on March 17, 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 letter which determines Appalachia Wood, Inc. has demonstrated sufficient evidence of entry into the Voluntary Action Program for the McArthur Lumber and Post Facility, at 31310 State Route 93, McArthur, Vinton County, Ohio.

The issuance of the sufficient evidence determination letter 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 letter, 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 March 15, 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, 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 Antimony by method 7041; Beryllium by method 7091; Lead by method 7421; Silver and Vanadium by method 6010B. 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
AMENDMENTS TO THE PROJECT PRIORITY LIST
OF THE WATER POLLUTION CONTROL LOAN FUND**

The Director of the Ohio Environmental Protection Agency is providing notice of the addition of assistance proposals as amendments to the Water Pollution Control Loan Fund (WPCLF) priority list. The following applicants have indicated their intent to apply for financial assistance for their respective water quality improvement activities:

1. Morrow County - CS392656-01, -02, -03. The project consists of the planning, design and construction of a new sewer system for the Johnsville area. Estimated award dates are July, 2004 (planning), October, 2004 (design) and July, 2006 (construction); estimated construction cost is \$1,300,000.
2. Hicksville (Defiance County) - CS 392654-01. The project consists of the construction of a new WWTP. Estimated award date is September, 2004; estimated cost is \$5,018,800.
3. London (Madison County) - CS392652-01 and -02. The project consists of the design and construction of upgrades to the city's WWTP. Estimated award dates are June, 2004 (design) and June, 2005 (construction); estimated costs are \$3,300,000 (design) and \$18,500,000 (construction).
4. Killbuck (Holmes County) - CS392625-01. The project consists of sanitary sewer rehabilitation. Estimated award date is September, 2004; estimated cost is \$129,224.
5. Columbus (Franklin County) - CS392650-01. The project consists of sewer improvements in the Adena/Brook Ravine area. Estimated award date is February 2005; estimated construction cost is \$2,847,000.
6. Columbus (Franklin County) - CS392649-01. The project consists of OSIS downtown odor controls. Estimated award date is February, 2006; estimated construction cost is \$3,001,000.
7. Columbus (Franklin County) - CS392648-01. The project consists of sewer improvements in the Arden/Foster area. Estimated award date is October, 2004; estimated construction cost is \$730,000.
8. Columbus (Franklin County) - CS392647-01. The project consists of sewer improvements in the Foster/Acton area. Estimated award date is October, 2004; estimated construction cost is \$1,285,000.

9. Columbus (Franklin County) - CS392646-01. The project consists of center train rehabilitation at the Southerly WWTP. Estimated award date is September, 2006; estimated construction cost is \$11,034,000.
10. Columbus (Franklin County) - CS392645-01. The project consists of a support facility at the Southerly WWTP. Estimated award date is January, 2007; estimated construction cost is \$9,849,000.
11. Columbus (Franklin County) - CS392644-01. The project consists of disinfection handling facilities at the Jackson Pike WWTP. Estimated award date is January, 2007; estimated construction cost is \$3,444,000.
12. Columbus (Franklin County) - CS392651-01. The project consists of the B-Plant clarifier upgrade at the Jackson Pike WWTP. Estimated award date is January, 2007; estimated construction cost is \$4,854,000.
13. Columbus (Franklin County) - CS392252-02. The project consists of construction of Chlorine Tank #4 at the Southerly WWTP. Estimated award date is January, 2005; estimated construction cost is \$4,200,000.
14. Columbus (Franklin County) - CS392630-01. The project consists of sewer improvements in the Royal Forest/Beechmont area. Estimated award date is December, 2004; estimated construction cost is \$462,000.
15. Columbus (Franklin County) - CS392393-01. The project consists of sewer improvements in the Piedmont/High area. Estimated award date is January, 2005; estimated construction cost is \$667,000.
16. Northeast Ohio Regional Sewer District (Cuyahoga County) - CS392638-01. The project consists of the Bryden-Farnsleigh ICRS. Estimated award date is July, 2004; estimated construction cost is \$4,100,000.
17. Northeast Ohio Regional Sewer District (Cuyahoga County) - CS392637-01. The project consists of the Lake Avenue Relief sewers. Estimated award date is December, 2004; estimated construction cost is \$3,700,000.
18. Northeast Ohio Regional Sewer District - CS392636-01. The project consists of the expansion of the Westerly Area CSOTF Facility. Estimated award date is June, 2004; estimated construction cost is \$15,200,000.
19. Northeast Ohio Regional Sewer District - CS392635-01. The project consists of Southerly Early Action CSO projects. Estimated award date is September, 2004; estimated construction cost is \$15,000,000.
20. Adena (Jefferson County) - CS392642-01. The project consists of a sewer system evaluation survey. Estimated award date is May, 2004; estimated cost is \$70,000.

21. Bradford (Miami County) - CS392641-01. The project consists of the reconstruction of the Main Street sewer. Estimated award date is July, 2004; estimated construction cost is \$182,000.
22. Fayette (Fulton County) - CS392640-01. The project consists of the West End sanitary sewer extension. Estimated award date is August, 2004; estimated construction cost is \$200,000.
23. Hartville (Stark County) - CS392639-01. The project consists of the Woodland Street sewers. Estimated award date is July, 2004; estimated construction cost is \$1,150,000.
24. Portage County - CS392633-01. The project consists of the construction of the Randolph Township WWTP. Estimated award date is June, 2004; estimated cost is \$1,816,000.
25. Solon (Cuyahoga County) - CS392634-01. The project consists of Aurora East and Pettibone Road sewer infrastructure improvements. Estimated award date is May, 2004; estimated construction cost is \$9,053,000.
26. Preble County - CS392632-01. The project consists of wastewater improvements in Sewer District #3 (West Elkton). Estimated award date is May, 2004; estimated cost is \$680,000.
27. Chardon (Geauga County) - CS392631-01. The project consists of the Eastside sanitary trunk sewer. Estimated award date is March, 2005; estimated construction cost is \$3,422,500.
28. Newark (Licking County) - CS392629-01. The project consists of the Licking River Interceptor. Estimated award date is June, 2005; estimated construction cost is 3,000,000.
29. Ottawa County - CS392628-01. The project consists of the Danbury Township Chemical Feed/Odor Control improvements. Estimated award date is June, 2004; estimated construction cost is \$1,069,518.
30. Toledo (Lucas County) - CS392532-03, -04. The project consists of the design and construction of the River Road SSO Elimination-Phase 3A. Estimated award dates are April, 2004 (design) and April, 2005 (construction); estimated costs are \$350,000 (design) and \$2,514,000 (construction).
31. Jackson (Jackson County) - CS392618-01. The project consists of the design of the WWTP expansion. Estimated award date is June, 2004; estimated cost is \$666,750.
32. Twin City Water & Sewer District (Tuscarawas County) - CS392655-01, -02. The project consists of the design and construction of sanitary sewer system improvements. Estimated award dates are June, 2004 (design) and October, 2004 (construction); estimated costs are \$220,300 (design) and \$1,519,100 (construction).

33. Youngstown (Mahoning County) - CS392653-01. The project consists of the Orchard Meadow Overflow Elimination. Estimated award date is August, 2004; estimated construction cost is \$3,963,880.

The addition of these activities to the priority list will not affect the potential for the WPCLF to provide assistance to other activities currently designated as Fundable on the WPCLF Intended Projects list during the current program year.

Each of these additions is a distinct final action of the Director and may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Sections 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall 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. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Suite 222, Columbus, Ohio 43215.

Additional information regarding these proposals can be obtained at <http://www.epa.state.oh.us/defa/defamain/newprojects>, or by contacting David Reiff at (614) 644-2798 or at this address: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Columbiana County and Stark County

PUBLIC NOTICE

**Ohio EPA Director Issues Final Findings and Orders
or Zeidrich Dump, West Township, Ohio**

On March 18, 2004, the Director of the Ohio Environmental Protection Agency (Ohio EPA) issued as a final action Director's Final Findings and Orders to Northrop Grumman Space and Mission Systems Corp. of Los Angeles, California to implement a Remedial Design/Remedial Action (RD/RA) at the Zeidrich Dump Site, located on East Line Street, West Township, Columbiana County, Ohio. The purpose of the RD/RA is to remedy soil, sediment and surface water contamination at the Site. The Director's Final Findings and Orders require the following actions: sediment and soil excavation; low-permeability cap installation; installation and operation of a leachate collection system; installation of a ground water monitoring network and long-term ground water monitoring; wetland restoration; and institutional control implementation.

The action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Sections 3745.04 or 3745.07 of the Ohio Revised Code. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action or issuance of the Director's Final Findings and Orders. A copy of the appeal must be served upon the Director of Ohio EPA within three (3) days of filing the appeal at the ERAC. The ERAC is located at 309 South Fourth Street, Room 222, Columbus, OH 43215.

The Director's Final Findings and Orders, and related documents, are available for review at Ohio EPA's Northeast District Office by calling or e-mailing Lily Aaron, Public Information Specialist, at (330) 963-1200 or lily.aaron@epa.state.oh.us for an appointment.

Date of Public Notice: March 29, 2004

Erie County

**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 dredge approximately 60,000 cubic yards from the Federal navigation channels of Vermillion Harbor. The dredged sediments from the Entrance and Lake Approach Channels would be discharged at the Huron Harbor Confined Disposal Facility. The dredged sediments from the River Channel would be discharged at the existing open-lake site in Lake Erie located approximately 2 miles north of the lakeward end of the East Pier. The application was submitted by the U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York, 14207-3199. The Ohio EPA ID Number for this project is 049410.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of 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, apply or may be granted by the director of Ohio EPA.

Beginning March 29, 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 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 7:00 p.m. on Wednesday, May 19, 2004, at the Vermillion Municipal Complex, 687 Decatur Street, Vermilion, Ohio, 44089. 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 26, 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

Notification of a Request to Amend the Mixed Waste Site Treatment Plan

Notice is hereby given that the United States Department of Energy (DOE), Battelle Columbus Laboratories Decommissioning Project Columbus Closure Project, has identified a need to amend its approved Site Treatment Plan (STP) for the facility located in West Jefferson, Ohio. The STP was originally approved by the Director on October 4, 1995. Notice of the proposed amendment was originally provided to the Ohio EPA by letter dated July 31, 2003. Additional revisions to the proposed amendment were received on November 14, 2003 and January 29, 2004, in response to Ohio EPA's comments. The major proposed revisions presented in the amended STP involve the management and/or storage of radioactive transuranic (TRU) mixed hazardous wastes at the Battelle Memorial Institute (Battelle) facility located at 1245 State Route 142, Plain City-Georgesville Road, West Jefferson, Ohio. The proposed storage time frame would be until September 30, 2006.

Ohio EPA is accepting comments regarding the proposed revisions presented in the amended STP within 30 days of the date of this notice. Comments can be sent to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services Section, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049, or faxed to number (614) 728-1245, or e-mailed to dhwmcomments@epa.state.oh.us.

Interested parties are encouraged to review the proposed amendment request in its entirety. The amended STP can be reviewed at the following locations: Ohio EPA, Central District Office, 3232 Alum Creek Drive, Columbus, Ohio 43207, telephone (614) 728-3778; Ohio EPA, Division of Hazardous Waste Management, 122 South Front Street, Columbus, Ohio 43215, telephone (614) 644-2977; or at the Hurt/Battelle Memorial Library of West Jefferson, 270 Lilly Chapel Road, West Jefferson, Ohio 43162-1202 (614) 879-8448.

**PUBLIC NOTICE
DIRECTOR'S FINAL FINDINGS & ORDERS**

Notice is hereby given that on March 19, 2004, the director of Ohio EPA issued Final Findings and Orders to the Hancock County Solid Waste Management District, 300 South Main Street, Findlay, Ohio 45840. In accordance with Division (D) of Ohio Revised Code (ORC) Section 3734.55, the District shall proceed to implement the solid waste management plan prepared by the Director in accordance with the strategies, programs, and activities described in the plan and implementation schedule included in these Findings and Orders. In accordance with Division (E) of ORC Section 3734.574, the Hancock County Board of County Commissioners shall submit to the Director, not later than thirty (30) days before the beginning of each calendar year quarter, a proposed budget for the expenditure of moneys received from levying the disposal and generation fees. These Orders are subject to all rules, regulations, and specified conditions. This action was not preceded by a proposed action. Persons 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: March 26, 2004

Ottawa County

**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 two projects within the Lake Erie watershed.

The first project is the Gravel Bar Peninsula Development. The application for this project was submitted by Don Schafer, 1471 Lear Industrial Parkway, Avon, Ohio 44011. The project is located on a 50.2 acre parcel of East Harbor, just west of Gravel Bar Road, in Danbury Township, Port Clinton, Ohio 43440. The project site is currently 45.40 acres of jurisdictional waters and 4.80 acres of upland. The Preferred Alternative is to: 1) construct approximately 26 single-family boathouses on a parcel which extends by another 6.5 acres the remnants of an existing 2.3 acre man-made peninsula by placing sheet piling around the perimeter of the area and backfilling with approximately 75,000 cubic yards of fill, 2) install a 5-foot diameter culvert to provide water equalization/circulation between the area of East Harbor to the north of the proposed peninsula and the area of East Harbor to the south of the proposed peninsula, and 3) to dredge an additional 12.1 acres (58,000 cubic yards) of East Harbor to deepen the water around the man-made peninsula and to deepen an existing common waterway on the south side of East Harbor to provide access to a federal navigation channel to Lake Erie. The applicant's Minimal Degradation Alternative is similar to the Preferred Alternative except that the proposed peninsula will only extend the existing peninsula by 6.25 acres, and the additional dredging will be for 11.6 acres. The Buffalo District Corps of Engineers' Public Notice Number for this application is (B)98-479-0015(1). The Ohio EPA ID number for this project is 049711.

The second project is on Ballast Island and involves the renovation and breakwater expansion of an existing private marina. The application was submitted by Ballast Concrete Products, Inc., 19501 South Miles Road, Suite 3, Warrensville Heights, Ohio 44128. The project is located on the west side of Ballast Island. The Preferred Alternative proposes to: 1) demolish an existing deteriorated 120-foot long steel crib breakwater and to replace it with a 280-foot long, stone-filled, steel crib breakwater, 2) installing a new 262-foot long by 20-foot wide sheet steel pile breakwater around an existing deteriorated 262-foot long timber crib breakwater, 3) dredge approximately 1,000 cubic yards of sand and gravel from the harbor basin with the dredged material to be deposited lakeward of the breakwaters, and 4) install 2 new navigation lights, one on each end of the breakwaters at the mouth of the harbor. The applicant's Minimal Degradation Alternative is similar to the Preferred Alternative except that the replacement breakwater stone-filled, steel crib breakwater will be 230 feet in length instead of 280 feet in length. The Buffalo District Corps of Engineers' Public Notice Number for this application is (B)2004-00627(0). The Ohio EPA ID number for this project is 049710.

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 March 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 in Bowling Green, Ohio by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on Wednesday, May 12, 2004 at 7:00 p.m. at the Port Clinton High School cafeteria, 821 Jefferson 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 Wednesday, May 19, 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 Wednesday, May 19, 2004.

Date of Public Notice: March 29, 2004

Portage 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 a boat ramp with floating and courtesy dock, and parking area. The application was submitted by the Ohio Department of Natural Resources, Division of Watercraft, 4435 Fountain Square Drive, Building A, Columbus, Ohio 43224. The project is located on the Michael J. Kirwan Reservoir at the West Branch State Park Campground near Elsworthy Road, in Portage County, Ohio. The Pittsburgh District Corps of Engineers Public Notice Number for this project is 04-11. The Ohio EPA ID Number for this project is 048424.

The applicant submitted three alternatives for this project (Preferred, Minimal, and Non-degradational alternative). The preferred alternative proposes to construct a three-lane, 45-foot wide boat ramp with 108 parking spaces which would impact approximately 175 linear feet of shoreline, the minimal degradation alternative proposes to construct a two-lane, 30-foot wide boat ramp with 49 parking spaces which would impact approximately 150 linear feet of shoreline, and because this is a water dependent project, the non-degradation alternative would involve no action with no impacts to water resources.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Michael J. Kirwan Reservoir in the Mahoning 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 March 29, 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.