

State of Ohio
Environmental Protection Agency

March 30, 2004

Notice of Proposed Rule-making and Public Hearing

Notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Drinking and Ground Waters (DDAGW) is proposing minor amendments to two Ohio Administrative Code (OAC) rules that pertain to the approval of detail plans and the requirements for Consumer Confidence Reports. These amendments are being proposed to correct several outdated references and ensure compliance with the referencing requirements of section 121.75 of the Ohio Revised Code.

Specifically, in OAC rule 3745-91-08 "Procedure for approval; changes" the division proposes to add the issue date of the "Recommended Standards for Water Works" to paragraph (A) to fulfill the referencing requirements of section 121.75 of the Revised Code. In OAC rule 3745-96-01 "Applicability and definitions" the DDAGW proposes to update the references to OAC rules 3745-81-12, 3745-81-24, and 3745-89-03 found in paragraph (D).

A public hearing pursuant to §119.02 through §119.04 of the Ohio Revised Code will be conducted on May 4, 2004, beginning at 1:30 pm in room 5B 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 30, 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 May 4, 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 rules 3745-91-08 and 3745-96-01" 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 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 ISSUES TEMPORARY AUTHORIZATION

On March 31, 2004, Ohio EPA issued a temporary authorization under its hazardous waste facility installation and operation permit (Hazardous Waste Permit) to Premcor Refining Group, Inc. (Premcor) for its facility at 1150 South Metcalf Street, Lima, Ohio 45804. The EPA Identification Number for this facility is OHD005051826.

Why does Premcor need this temporary authorization?

Premcor is permitted to conduct corrective action activities at its facility in Lima, Ohio. On February 17, 2004, Ohio EPA received Premcor's request for an ownership change to the facility's current hazardous waste permit. Premcor is owned by BP Chemicals, Inc., BP Products North America, and Premcor Refining Group, Inc. Prior to issuance of a Class 3 permit modification, the temporary authorization allows Premcor to make the requested ownership name change from BP Chemicals North America, an Ohio corporation, to BP Amoco Chemical Company, a Delaware corporation.

Can I appeal this temporary authorization?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this temporary authorization you have the right to appeal this decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final temporary authorization, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than May 2, 2004. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal, according to Ohio Revised Code §3745.04, with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

Date of Notice: March 22, 2004

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has scheduled a public hearing on the draft National Pollutant Discharge Elimination System (NPDES) permit (3IR00037*GD) renewal for the existing Carlisle Engineered Products disposal system.

The disposal system is located at 15322 Old State Road, Middlefield, Geauga County, Ohio. Treated wastewaters are to be discharged at the same location. The discharges are to Tare Creek via an unnamed tributary. The NPDES application was submitted by Carlisle Engineered Products, 15322 Old State Road, Middlefield, Ohio 44062. 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.

The public hearing has been scheduled for Wednesday, May 12, 2004 at 7 pm at Jordak Elementary School, 16000 East High Street, Middlefield, Ohio. The public hearing will end when everyone in attendance has had an opportunity to provide testimony related to the project.

Persons wishing to 1) be on 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, Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by close of business on May 19, 2004. Comments received after this date may not be considered as part of the official record of this hearing.

Copies of the pending NPDES application and technical support information may be reviewed and/or copies made at Ohio EPA's Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio, by first calling (330) 963-1200 to make an appointment.

Date of Public Notice: April 5, 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 private boat dock and parking area. The application was submitted by Christopher Rybolt, 9021 Pippin Road, Cincinnati, Ohio, 45251. The project is located on the Ohio River at 1 River Road, North Bend, Ohio in Hamilton County. The U.S. Army Corps of Engineers Public Notice Number for this project is (L)200301311. The Ohio EPA ID Number for this project is 049351.

The applicant submitted three alternatives for this project (Preferred, Minimal, and Non-degradational alternative). The preferred alternative would impact the entire lot and require approximately 10,000 cubic yards of fill material, the minimal degradation alternative would impact approximately half of the lot and require approximately 4,000 approximately cubic yards of fill material, and the non-degradation alternative would not involve any fill below the ordinary high water mark.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Ohio River. 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 April 5, 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 ISSUES FINAL RENEWAL HAZARDOUS WASTE PERMIT TO THE
LUBRIZOL CORPORATION, PAINESVILLE, OHIO**

On March 31, 2004, Ohio EPA issued a final renewal Hazardous Waste Facility Installation and Operation Permit (Permit) to The Lubrizol Corporation (Lubrizol) for its facility at 155 Freedom Road, Painesville, Ohio 44077. The EPA Identification Number for this facility is OHD004172623.

Why does Lubrizol need a Permit?

The Lubrizol Corporation in Painesville is engaged in the manufacture of lubricant additives, fuel additives, and other speciality chemicals related to the transportation industry. From these activities, hazardous waste is generated. Lubrizol is authorized to store and treat hazardous waste in tanks, and treat hazardous waste by incineration. The final renewal Permit contains the conditions under which the facility must operate. To issue this final Permit, Ohio EPA determined that the Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws. The final Permit allows Lubrizol to continue to store and treat hazardous waste in tanks and treat hazardous waste by incineration. It also requires Lubrizol to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility.

Can I appeal this permit?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this renewal Permit, you have the right to appeal this permit decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final renewal Permit, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than April 30, 2004. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE
Revocation Permit To Install 08-2341
Onyx Environmental Services**

Public Notice is hereby given that the Director of the Ohio Environmental Protection Agency (EPA) hereby revokes the December 26, 1991 Permit To Install 08-2341 for the following operations located at 4301 Infirmary Road, West Carrollton, Ohio:

Emissions unit(s): P010

The request indicated that the air contaminant sources identified in PTI 08-2341 meet the revocation for cause pursuant to OAC rule 3745-31-07 by meeting the OAC rule 3745-15-05 De minimis criteria.

This revocation is effective pursuant to Ohio Administrative Code rule 3745-31-07 and will not result in the violation of any applicable laws.

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 revocation may be directed to Michael Ahern, Ohio EPA Division of Air Pollution Control (614) 644-3631.

Date of Public Notice: April 5, 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 new interconnect raw water main, sludge line, and pumping station. The proposed project would cross, by open-trenching methods, the Great Miami River and the Mad River in order to install a 48" diameter raw water main and a 12" diameter lime sludge line. The application was submitted by the City of Dayton, Department of Water, 420 West Monument Avenue, Dayton, Ohio 45402. The project will run from the Miami Water Treatment Plant located north of the Great Miami River to the Ottawa Water Treatment Plant located south of the Mad River. Both of the water treatment plants are located a little over a mile east of Interstate 75. A 120-150 foot working corridor will be constructed in each river for approximately 4-6 weeks. The Louisville District Corps of Engineers has provisionally issued Nationwide Permit 12 and 33 for this project. The Corps project number is 200301036-pht. The Ohio EPA ID Number for this project is 048568.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Great Miami and Mad River (HUC 05080001). 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 April 5, 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

RECEIPT OF PTI APPLICATION

Notice is hereby given on March 29, 2004, of the receipt of a Permit to Install application (PTI #06-07468) for Pike Sanitation, Inc., 123 South Lock Street, Waverly, Ohio 45690. The application was received by Ohio EPA on March 24, 2004. The PTI application is for a modification, authorized maximum daily waste receipt change, and design change to the existing Pike Sanitation Landfill. The landfill is located at 11775 State Route 220, Waverly, Ohio 45690. The application may be reviewed in accordance with Ohio EPA's file review procedures by writing to Ms. Angie Hardesty, Ohio EPA Southeast District Office, 2195 Front Street, Twinsburg, Ohio 44087.