

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY
PUBLIC NOTICE
OF ADOPTION OF AMENDED RULES
GOVERNING HAZARDOUS WASTE MANAGEMENT**

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 3734.12 of the Ohio Revised Code, has adopted the amended rules of the Ohio Administrative Code listed here, as ordered on September 7, 2004:

3745-51-01, 3745-51-05, 3745-51-07, 3745-51-08, 3745-51-20, 3745-51-21, 3745-51-22, 3745-51-23, 3745-51-31, 3745-51-33, 3745-51-35, 3745-51-38, 3745-54-03, 3745-54-10, 3745-54-11, 3745-54-12, 3745-54-13, 3745-54-14, 3745-54-16, 3745-54-17, 3745-54-18, 3745-54-30, 3745-54-50, 3745-54-52, 3745-54-71, 3745-54-74, 3745-54-76, 3745-54-91, 3745-54-99, 3745-66-11, 3745-66-14, 3745-66-16, 3745-66-17, 3745-66-19, 3745-66-42, 3745-66-44, 3745-66-45, 3745-66-47, 3745-66-48, 3745-66-70, 3745-66-71, 3745-66-90, 3745-66-93, 3745-66-96, 3745-66-97, 3745-66-98, 3745-67-20, 3745-67-50, 3745-67-70, 3745-67-79, and 3745-67-80.

The primary purpose of this rule-making is to make these rules consistent with and equivalent to their federal counterpart rules as rescinded, created, or amended in the Federal Registers that discuss these concepts, as published in the public notices of proposal of these rules. These rules contain additional substantive and non-substantive amendments and corrections.

The Director of Environmental Protection, after considering public comment on the proposed hazardous waste management rules, adopted these rules in final form pursuant to Section 3734.12 of the Ohio Revised Code. The amended rules will become effective on December 7, 2004 in accordance with Section 119.04(A) of the Ohio Revised Code.

This is the **fourth** in a series of eight adoption (and rescission) final actions by the Director to address the series of four hazardous waste management rule proposal actions known as J1, J2, J3, and J4, which comprise what you may know as the "MegaSet" of rules. These adoption (and rescission) final actions will occur over approximately three weeks. All the proposed rules from J1 through J4 will be given the same effective date.

These rules are available electronically from the Register of Ohio, and will remain available there for approximately thirty days after their effective date. They may also be accessed at the Division of Hazardous Waste Management web site at www.epa.state.oh.us/dhwm/welcome at the "Rules and Laws" icon.

You are hereby notified that this action of the Director 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. It must be filed with the ERAC within

thirty days after notice of the Director's action. An appeal may be filed with the ERAC, 309 South Fourth Street, Suite 222, Columbus, Ohio 43215. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three days of filing with the ERAC.

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY
PUBLIC NOTICE
OF AMENDMENT, ADOPTION, AND RESCISSION OF RULES
GOVERNING HAZARDOUS WASTE MANAGEMENT**

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 3734.12 of the Ohio Revised Code, has rescinded and adopted the rules of the Ohio Administrative Code listed here, as ordered on September 8, 2004:

Rescinded rules: 3745-49-03.1, 3745-50-22.1, 3745-50-22.2, 3745-50-31.1,
3745-50-31.2, 3745-50-31.3, 3745-50-31.4, 3745-50-31.5,
3745-50-31.6, 3745-55-01, 3745-56-33, 3745-56-60, 3745-57-18.

New rules: 3745-50-19, 3745-50-20, 3745-50-23, 3745-50-24, 3745-50-25, 3745-
50-26, 3745-50-27, 3745-50-28, 3745-50-29, 3745-54-100, 3745-56-
31, 3745-56-59, 3745-57-17

Amended rules: 3745-52-11, 3745-52-12, 3745-52-41, 3745-52-50, 3745-52-51, 3745-
52-52, 3745-52-54, 3745-52-55, 3745-52-60, 3745-52-70, 3745-53-
11, 3745-53-12, 3745-53-20, 3745-53-30, 3745-54-94, 3745-55-11,
3745-55-13, 3745-55-16, 3745-55-17, 3745-55-19, 3745-55-42, 3745-
55-43, 3745-55-45, 3745-65-92.

The primary purpose of this rule-making is to make these rules consistent with and equivalent to their federal counterpart rules as rescinded, created, or amended in the Federal Registers that discuss these concepts, as published in the public notices of proposal of these rules. These rules contain additional substantive and non-substantive amendments and corrections.

The Director of Environmental Protection, after considering public comment on the proposed hazardous waste management rules, adopted these rules in final form pursuant to Section 3734.12 of the Ohio Revised Code. The new and amended rules, and the rescission of the rescinded rules, will become effective on December 7, 2004 in accordance with Section 119.04(A) of the Ohio Revised Code.

This is the **fifth** in a series of eight adoption (and rescission) final actions by the Director to address the series of four hazardous waste management rule proposal actions known as J1, J2, J3, and J4, which comprise what you may know as the "MegaSet" of rules. These adoption (and rescission) final actions will occur over approximately three weeks. All the proposed rules from J1 through J4 will be given the same effective date.

These rules are available electronically from the Register of Ohio, and will remain available there for approximately thirty days after their effective date. They may also be accessed at the Division of Hazardous Waste Management web site at www.epa.state.oh.us/dhwm/welcome at the "Rules and Laws" icon.

You are hereby notified that this action of the Director 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. It must be filed with the ERAC within thirty days after notice of the Director's action. An appeal may be filed with the ERAC, 309 South Fourth Street, Suite 222, Columbus, Ohio 43215. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three days of filing with the ERAC.

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY
PUBLIC NOTICE
OF AMENDMENT, ADOPTION, AND RESCISSION OF RULES
GOVERNING HAZARDOUS WASTE MANAGEMENT**

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 3734.12 of the Ohio Revised Code, has rescinded and adopted the rules of the Ohio Administrative Code listed here, as ordered on September 9, 2004:

Rescinded rules: 3745-55-01.1, 3745-56-28, 3745-65-76.

New rules: 3745-54-19, 3745-54-101, 3745-56-22, 3745-56-23, 3745-56-28, 3745-56-52, 3745-56-53, 3745-57-04, 3745-57-06, 3745-65-76.

Amended rules: 3745-51-24, 3745-54-15, 3745-54-73, 3745-54-98, 3745-55-12, 3745-56-21, 3745-56-26, 3745-56-51, 3745-56-54, 3745-57-02, 3745-57-03, 3745-57-05, 3745-57-10, 3745-57-14, 3745-57-41, 3745-57-42, 3745-57-44, 3745-57-73, 3745-57-83, 3745-57-92, 3745-65-10, 3745-65-11, 3745-65-12, 3745-65-13, 3745-65-14, 3745-65-16, 3745-65-17, 3745-65-30, 3745-65-37, 3745-65-50, 3745-65-52, 3745-65-56, 3745-65-71, 3745-65-74, 3745-270-07, 3745-270-50.

The primary purpose of this rule-making is to make these rules consistent with and equivalent to their federal counterpart rules as rescinded, created, or amended in the Federal Registers that discuss these concepts, as published in the public notices of proposal of these rules. These rules contain additional substantive and non-substantive amendments and corrections.

The Director of Environmental Protection, after considering public comment on the proposed hazardous waste management rules, adopted these rules in final form pursuant to Section 3734.12 of the Ohio Revised Code. The new and amended rules, and the rescission of the rescinded rules, will become effective on December 7, 2004 in accordance with Section 119.04(A) of the Ohio Revised Code.

This is the **sixth** in a series of eight adoption (and rescission) final actions by the Director to address the series of four hazardous waste management rule proposal actions known as J1, J2, J3, and J4, which comprise what you may know as the "MegaSet" of rules. These adoption (and rescission) final actions will occur over approximately three weeks. All the proposed rules from J1 through J4 will be given the same effective date.

These rules are available electronically from the Register of Ohio, and will remain available there for approximately thirty days after their effective date. They may also be accessed at the Division of Hazardous Waste Management web site at www.epa.state.oh.us/dhwm/welcome at the "Rules and Laws" icon.

You are hereby notified that this action of the Director 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. It must be filed with the ERAC within thirty days after notice of the Director's action. An appeal may be filed with the ERAC, 309 South Fourth Street, Suite 222, Columbus, Ohio 43215. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three days of filing with the ERAC.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
MODIFICATION OF LABORATORY CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM

Notice is hereby given that on September 3, 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 DataChem Laboratories ("DataChem") of 4388 Glendale-Milford Road, Cincinnati, Ohio, granting modification of the laboratory's certification to perform analysis of Semi-Volatile Organic Compounds on air and soil gas media. The certification number assigned to DataChem remains CL0022.

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
DIRECTOR'S FINAL FINDINGS AND ORDERS**

Notice is hereby given that on September 7, 2004, the director of Ohio EPA issued Final Findings and Orders to Dudley Kepp ("Respondent"), 13346 State Route 41, West Union, Adams County, OH 45693 ("Property"). Upon the effective date of these Orders the Respondent shall implement mosquito control measures at the Property in accordance with the provisions of OAC Rule 3745-27-60(B)(8). Respondent shall establish storage piles and fire lanes at the Property, not later than thirty (30) days after the effective date. Not later than one hundred twenty (120) days, Respondent shall remove or cause removal of all scrap tires from the Property and allow Ohio EPA access to the Property pursuant to 3734.85 should Respondent fail to strictly comply with the Orders. These Final Findings and Orders are subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. 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.

Allen County

**PUBLIC NOTICE
OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO
ROBERT AND MORGAN McLELLAN**

On September 7, 2004, Ohio EPA issued final Findings and Orders to Robert McLellan and Morgan McLellan for their facility located on East 15th Street, Lima, Ohio (15th Street Facility). This facility operates a business where used oil/automotive fluids were allowed to drain on the ground at the 15th Street Facility.

Robert and Morgan McLellan, representing the 15th Street Facility, must achieve compliance with Chapter 3734 of the Ohio Revised Code and all corresponding regulations according to the detailed compliance schedule which is outlined in the orders. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE
PROPOSED MODIFIED CONSENT ORDER**

The Ohio Environmental Protection Agency (EPA) and Defendant the City of Ashland have entered into a proposed Modified Consent Order to resolve the City of Ashland's noncompliance with the terms of the February 27, 1989, Consent Order, in the case *State of Ohio ex rel. Jim Petro v. City of Ashland*, Court of Common Pleas Ashland County, Ohio, Case No. 33912 and Ohio's Water Pollution Control Regulations. The proposed Modified Consent Order would require that Defendant prevent bypasses and overflows from its wastewater treatment plant (WWTP), properly operate and maintain its WWTP, comply with a construction and compliance schedule to upgrade the WWTP and reduce infiltration and inflow into the wastewater treatment system, and comply with O.R.C. Chapter 6111, the rules adopted thereunder, and the terms and conditions of its existing NPDES permit and any renewals or modifications of the permit.

To resolve Ohio EPA's claims for violations of the Consent Order, the proposed Modified Consent Order requires Defendant to pay a civil penalty settlement in the amount of \$17,500. The Modified Consent Order requires the payment of the civil penalty within 30 days of its final entry date. In lieu of an additional civil penalty, Defendant agrees to reconstruct the City of Ashland reservoir.

Copies of the Modified Consent Order can be obtained from the Ohio EPA, Northwest District Office, by calling the Division of Surface Water Compliance and Enforcement Unit Supervisor at (419) 352-8461 or by writing to:

Compliance and Enforcement Unit Supervisor, DSW
Ohio EPA, Northwest District Office
347 North Dunbridge Road
P.O. Box 466
Bowling Green, Ohio 43402

Written comments should be submitted to Ohio EPA, Northwest District Office at the above address. Written comments should be submitted on or before September 23, 2004.

The final approval and entry of the proposed Modified Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty-day period commences on August 24, 2004. The State of Ohio and the City of Ashland reserve the right to withdraw or alter the proposed Modified Consent Order based on comments received during the public comment period.

**PUBLIC NOTICE
PROPOSED MODIFIED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a Modified Consent Order with Eastern Ohio Regional Wastewater Authority (Defendant), to resolve several minor issues related to the original Consent Order of January 23, 1997, and previously modified on January 23, 2003, July 24, 2003, and December 29, 2003, filed by the State of Ohio, Belmont County Court of Common Pleas case number 96-CV-360. The proposed Modified Consent Order addresses the following issues: 1) clarifies Defendant's responsibilities if, in the future, Defendant assumes operation, maintenance of the municipal sewers that are connected to the wastewater treatment plant; 2) extends the deadline for completion of a wet weather stress test study to determine how best to operate the wastewater treatment plant to maximize pollutant removal during wet weather; 3) extends the time frame in which operation under a Class IV Technical Supervisor is approved until August 31, 2006; 4) extends until August 31, 2019, the deadline for the expenditures of monies from the Community Sewer Improvement Fund established in Paragraph 12 of the Consent Order; and, 5) resolves an outstanding violation by requiring Defendant, on or before October 31, 2004, to deposit an additional sum of five thousand (\$5,000) into the Community Sewer Improvement Fund.

Copies of the Modified Consent Order can be obtained from the Ohio EPA, Southeast District Office, by calling the Division of Surface Water Enforcement Supervisor at (740) 385-8501 or by writing to:

Ohio EPA, Southeast District Office
Attn: DSW Enforcement Supervisor
2195 Front Street
Logan, Ohio 43138

Written comments should be submitted to Ohio EPA, Southeast District Office at the above address. Written Comments should be submitted on or before October 14, 2004.

The final approval and entry of the proposed Modified Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty day period commences on September 14, 2004. Both the State of Ohio and the Eastern Ohio Regional Wastewater Authority reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

Date of Public Notice: September 17, 2004

Clark 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 new boat ramp at Buck Creek State Park on the Clarence J. Brown Reservoir. The application was submitted by the Ohio Department of Natural Resources, Division of Engineering, 1889 Fountain Square Court, Building F-3, Columbus, Ohio 43224-1388. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative is to remove the existing concrete boat ramp and piers, fill that area with dirt and riprap the shoreline, and construct a new boat ramp with floating docks protected by a sheet pile seawall about 300 feet to the northwest. The applicant's minimal degradation alternative would be to shorten the amount of sheet pile by about 20 feet. The applicant's non-degradation alternative would be to not construct any improvements to the boat ramp area. The Louisville District of the U.S. Army Corps of Engineers Public Notice Number for this project is (L)200300761. The Ohio EPA ID Number for this project is 042114.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Clarence J. Brown Reservoir in the Upper Great Miami River watershed (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 September 17, 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 Southwest District Office 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 AMENDED HAZARDOUS WASTE
CLOSURE/POST-CLOSURE PLAN FROM CLOW WATER SYSTEMS**

On August 23, 2004, Ohio EPA received an amended hazardous waste closure/post-closure plan from the Clow Water Systems Company located 2266 South Sixth Street, Coshocton, Ohio 43812-6001. The EPA Identification Number for this facility is OHD004294849.

Why is Clow Water Systems Company submitting this Amended Closure/Post-Closure Plan?

In response to Ohio EPA, Clow Water Systems Company submitted this amended closure/post-closure plan. The purpose of this plan is to describe the methods by which Clow will provide closure of the exempt waste unit (Cell 2). Closure of Cell 2 will also provide the final tie-in between the Cell 2 cover, thus completing activities necessary to achieve certification of Cell 1 closure. The scope of the plan includes: general facility information; hydrogeologic information; pre-closure activities; closure design for Cell 2; closure methods for Cell 2; construction quality assurance/quality control plan; site health and safety plan; closure schedule; post-closure plan for Cells 1 and 2; financial assurance; and closure documentation.

When and how do I submit written comments about this Amended Closure/Post-Closure Plan?

You can submit written comments anytime between September 9 and October 8, 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: dhwmcomments@epa.state.oh.us.

Where can I review the Post-Closure Plan?

You can review the closure/post-closure plan at the following locations:

Coshocton Public Library, Main Branch, 655 Main Street, Coshocton, Ohio 43812-6001, tel: (740) 622-0956;

Ohio EPA, Southeast District Office, 2195 Front Street, Logan, Ohio 43138, tel: (740) 385-8501; and,

Ohio EPA, Division of Hazardous Waste Management, 122 South Front Street, Columbus, Ohio 43215, tel: (614) 644-2977.

**PUBLIC NOTICE
ALTERNATIVE DAILY COVER (ADC) TEMPORARY APPROVAL**

Pursuant to OAC Rule 3745-27-19(F)(3)(a), notice is hereby given that on June 24, 2004, the director of Ohio EPA authorize the Defiance County Landfill (Facility), 13207 Canal Road, Defiance, Ohio 43512, to use foundry sand as an alternative to six (6) inches of soil for daily cover at the Facility for a trial period of one hundred eighty (180) days from the effective date of this authorization. This temporary approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. 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.

Henry County

**PUBLIC NOTICE
ALTERNATIVE DAILY COVER (ADC) TEMPORARY APPROVAL**

Pursuant to OAC Rule 3745-27-19(F)(3)(a), notice is hereby given that on June 24, 2004, the director of Ohio EPA authorize the Henry County Landfill (Facility), L-622 Township Road 11, Malinta, Ohio 43535, to use sewage sludge and industrial wastewater sludge as an alternative to six (6) inches of soil for daily cover at the Facility for a trial period of one hundred eighty (180) days from the effective date of this authorization. This temporary approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. 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.

**PUBLIC NOTICE
DIRECTOR'S FINAL FINDINGS AND ORDERS
ALTERNATIVE DAILY COVER (ADC) APPROVAL**

Pursuant to OAC Rule 3745-27-19(F)(3)(a), notice is hereby given that on September 7, 2004, the director of Ohio EPA authorize Browning-Ferris Industries of Ohio, Inc. (BFIO), Lorain County Landfill II, 43502 Oberlin-Elyria Road, Oberlin, Ohio 44074, to use a mixture of filter cake from a venturi scrubber and blast furnace flue dust as alternative daily cover (ADC) at the Lorain County Landfill II (Facility). These Orders also approve a new 180-day trial period and increase the maximum area authorized for coverage with the ADC material to 87,120 square feet. This approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. 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.

**OHIO EPA ISSUES FINAL CONTAINED-IN DECISION FOR DEBRIS
FOR HAZARDOUS WASTE PERMIT**

On August 25, 2004, Ohio EPA issued a final Contained-In Decision for Debris to its Hazardous Waste Facility Installation and Operation Permit (Permit) to Ross Incineration Services, Inc. for its facility at 36790 Giles Road, Grafton, Ohio 44044. The EPA Identification Number for this facility is OHD048415665.

Why is Ross Incineration Services, Inc. requesting the Contained-In Decision for its Permit?

Ross Incineration Services, Inc. is permitted to operate a hazardous waste incinerator and other related hazardous waste management units at its facility. Ross Incineration Services, Inc. requests for a determination that debris generated from the closure of three scrubber water surface impoundments is not contaminated with pentachlorophenol, hazardous waste F027. This final Contained-In Decision will allow Ross Incineration Services, Inc. to manage such waste accordingly. To issue this final action, Ohio EPA determined that the Contained-In Decision for Debris application is complete and meets appropriate standards.

Can I appeal this final Contained-In Decision to the 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 modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final Contained-In Decision, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than **October 8, 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 and 3745.07, 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
OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On August 30, 2004, Ohio EPA issued a final modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Ross Incineration Services, Inc. for its facility at 36790 Giles Road, Grafton, Ohio 44044. The EPA Identification Number for this facility is OHD048415665.

Why is Ross Incineration Services, Inc. modifying its Permit?

Ross Incineration Services, Inc. is permitted to operate a hazardous waste incinerator and other related hazardous waste management units at its facility. Ross Incineration Services, Inc. wishes to revise the Waste Analysis Plan for metals and PCB Sampling and Analysis. This final modified permit will allow Ross Incineration Services, Inc. to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

Can I appeal this final modified 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 modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

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

If you file an appeal, you must put it in writing no later than **September 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, according to Ohio Revised Code §§ 3745.04 and 3745.07, 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
OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On September 8, 2004, Ohio EPA issued a final Class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to BP Products North America, Inc. (BP) for its Toledo Refinery at 4001 Cedar Point Road, Oregon, Ohio 43616. The EPA Identification Number for this facility is OHD005057542.

Why is BP modifying its Permit?

BP operates a petroleum refinery and manufactures gasoline, and other petroleum products. From this manufacturing process, BP generated hazardous wastes. In the past BP treated and stored these hazardous wastes in seven different units at the facility. To treat and store the hazardous wastes, BP needed a Permit. BP no longer treats or stores hazardous waste at the facility. BP wishes to update the status of closure for Land Treatment Unit Cells 4, 5 and 6 as described in Section I of the facility's permit. This final modified permit will allow BP to make the requested changes. To issue this final modified Hazardous Waste Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

Can I appeal this final modified 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 Permit, you have the right to appeal this permit decision to the Environmental Review Appeals Commission (ERAC).

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

If you file an appeal, you must put it in writing no later than October 9, 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 and 3745.07, 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
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 Jeff Colvin d.b.a. The Island Club. This final action was effective on September 3, 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

**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 Carl Tobar (owner of the public water system at the Horny Toad). This final action was effective on September 3, 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

**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 Pat Daily revoking previously issued Final Findings and Orders on August 27 and August 30, 2004. This final action was effective on September 3, 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

**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 Toni Steigerwald d.b.a Stagger Inn. This final action was effective on September 3, 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

**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 Miller's Boat Line Inc., and revoked Orders issued to Irving's Put-In-Bay Deli on August 26, 2004. This final action was effective on September 3, 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

**PUBLIC NOTICE
OAC Rule 3745-27-10(D)(7)(c) Authorization**

Notice is hereby given on September 7, 2004, pursuant to OAC 3745-27-10(D)(7)(c), Ohio EPA concurs with the demonstration during the March 2004 sampling event for barium at monitoring well MW-16S, and approves continuation of the detection monitoring program in accordance with OAC 3745-27-10(D) for monitoring well MW-16S, at the BFI Willowcreek Landfill, 1187 State Route 225, Atwater, OH 44201. This authorization is subject to all rules, regulations, and specified conditions. This action of the director is final and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. 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.

Williams County

**PUBLIC NOTICE
DELETION OF PERMIT-TO-INSTALL (PTI) CONDITION**

Notice is hereby given on September 7, 2004, that the director of Ohio EPA hereby approves a request submitted on behalf of Allied Waste Industries, Inc. (Allied Waste) Williams County Landfill, 12604 County Road G, Bryan, OH 43506, to remove Condition Number 13.f.i. from PTI No. 03-6551, which was effective April 5, 1995. This approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. 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.