

**PUBLIC NOTICE  
FINAL ISSUANCE OF AN AMENDED CERTIFICATE  
OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE**

Notice is hereby given that on December 14, 2004 the director of Ohio EPA issued an amended infectious waste transporter certificate to Bio Medical Waste Services Inc., #26 Commercial Ln Upper, Parkersburg, WV 26101, Reg. No. 00-T-00254. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215.

**PUBLIC NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
**The Village of Lockland, American Tissue Mills of Ohio**

Notice is hereby given that on December 14, 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 Covenant Not To Sue/Final Findings and Orders to the Village of Lockland for the property identified as the American Tissue Mills of Ohio property (the "Property").

The Village of Lockland conducted a voluntary action of the approximately 5.6 acre-Property located at 101 North Cooper Avenue, Lockland, Hamilton County, Ohio. A no further action letter was submitted on May 4, 2004 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of the Village of Lockland by Ronald R. Clark, a Certified Professional, (No. CP101), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

The issuance of the Covenant Not to Sue/Final Findings and Orders 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 Covenant Not To Sue/Final Findings and Orders, 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 EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT**

On December 10, 2004, Ohio EPA issued a final modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Lanxess Corporation (f.k.a. Bayer Polymers, LLC) for its facility at 356 Three Rivers Parkway, Addyston, Ohio 45001-0039. The EPA Identification Number for this facility is OHD004233003.

**Why is Bayer Polymers, LLC modifying its Permit?**

Bayer Polymers, LLC (Bayer) is involved in the manufacturing of plastics and resins. Hazardous wastes generated at the plant are stored on-site in containers and tank systems. To store the hazardous wastes, Bayer needs a Permit. Bayer wishes to change its owner and operator from Bayer Polymers LLC to Lanxess Corporation. The final permit modification contains the conditions under which the facility must operate if the Permit receives final approval. To issue this final modified permit, Ohio EPA determined that the modification application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws.

**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 January 9, 2005. 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 Public Notice: December 22, 2004**

**Lake 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 residential subdivision consisting of 18 single family units on approximately 22-acres. The application was submitted by Stone Creek Land Development Company, 3375 Blackmore Road, Perry Township, Ohio 44081. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 540 feet of streams and 0.3 acres of wetlands. The applicant's proposed minimal degradation alternative, if approved, would impact 196 feet of stream. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands. The project is located to the rear of existing homes at 7381-7511 Euclid-Chardon Road, Kirtland, Lake County, Ohio. The Ohio EPA Number for this project is 042171.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in the Chagrin 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 December 22, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**Date of Public Notice: December 22, 2004**

**Lake County**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF ISOLATED WETLAND PERMIT  
APPLICATION (LEVEL 2)**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, an Isolated Wetland Permit (Level 2) for a project to fill construct Wal-Mart Project #3608-00. The application was submitted by the KS Associates, 260 Burns Road, Suite 100, Elyria, Ohio 44035. The project is located northwest of the intersection of US 20 and Green Road, North Madison, Lake County, Ohio. The Ohio EPA Number for this project is 042169.

The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Ohio Revised Code (ORC) Sections 6111.02 to 6111.028 and other applicable provisions of state laws. Other alternatives as proposed by the applicant resulting in less adverse impact to the isolated wetland ecosystem, will be considered by Ohio EPA during the review process.

Starting December 22, 2004, copies of the application 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 20 days of the date of this public notice.

**Date of Public Notice: December 22, 2004**

**Lorain 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 fill wetlands during the construction of 12 new housing cottages at the existing Kendal at Oberlin complex. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would result in impacts to 1.57 acres of Category 2 wetlands. The applicant's minimal degradation alternative would result in impacts to 0.495 acres of Category 2 wetlands. The applicant's non-degradation alternative would have no direct impacts to water resources on site. The application was submitted by Kendal at Oberlin, 600 Kendal Drive, Oberlin, Ohio 44074-1900. The project is located in the southwest quadrant of the existing Kendal at Oberlin complex, east of State Route 58 and south of Butternut Ridge Road, in Lorain County, Oberlin, Ohio. The Army Corps of Engineers number for this project is 2004-01213(0). The Ohio EPA number for this project is 042150.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in the Plum Creek watershed, located in the Black River watershed (04110001). The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting December 22, 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  
PERMIT TO INSTALL (PTI #06-07468)**

Notice is hereby given that on December 13, 2004, Ohio EPA issued a Permit To Install (PTI #06-07468), to the Pike Sanitation Landfill- Scrap Tire Monocell Facility (Monocell), located at 11775 State Route 220, Waverly, Pike County, Ohio. This permit reduces the size of the Monocell and authorizes a small vertical and lateral expansion. It also reduces the authorized maximum daily waste receipt (AMDWR) from 100 tons to 2 tons. This authorization is subject to all rules, regulations and specified conditions. This action may be appealed to the Environmental Review Appeals Commission, 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.