

PUBLIC NOTICE

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

Notice is hereby given that on April 24, 2006, the director of Ohio EPA issued an amended infectious waste transporter certificate to Stericycle, Inc., 28161 N Keith Dr., Lake Forest, IL 60045, Reg. No. 00-T-00199. 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

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 26 2006, the director of Ohio EPA issued two certificates of registration as transporter of scrap tires to Friendly Tire Inc., 812 Providence Blvd., Clarksville, TN 37042. 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 action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

Public Notice
Ohio Environmental Protection Agency
Proposed amendment of
Ohio Administrative Code (OAC) rules 3745-14-05, OAC rule 3745-72-01, and OAC
rule 3745-72-02

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) proposes to amend:

OAC rule 3745-14-05: NOx Allowance Allocations

OAC rule 3745-72-01: Applicability

OAC rule 3745-72-02: Definitions

The rule amendments are being proposed to address a shortfall in the full replacement of emission reductions required for the replacement of the "E-Check" program in the Cincinnati/Dayton metropolitan areas as a result of the lack of the low-RVP fuel program for the 2006 ozone season.

The anti-backsliding provisions of the eight-hour ozone implementation rule requires Ohio EPA to replace the emission reductions lost by the expiration of the E-Check program in Cincinnati and Dayton on December 31, 2005. A planned replacement program, the low-RVP fuel program, will be unavailable for the 2006 ozone season. To replace the emission reductions lost through the unavailability of this program, Ohio EPA will permanently retire unused new source NOx set aside allowances (the right to emit emissions of NOx) from the 2005 ozone season that would otherwise be returned to existing sources for the 2006 ozone season.

The proposed amendments to OAC rule 3745-14-05 provide for the retirement of the NOx allowances. The amendments to OAC rules 3745-72-01 and 3745-72-02 modify the applicability date of the low-RVP fuel program until twelve months after approval of the program by the US Environmental Protection Agency.

In addition to the changes identified above, these rules also contain changes necessary to comply with S.B. 265 which addresses incorporation of referenced materials.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC is required to consult with interested parties affected by the rules before the division formally adopts them. Written comments will be received on or before June 2, 2006 at the following address:

E-mail: lee.burkleca@epa.state.oh.us

Mailing address: Lee F. Burkleca
Ohio Environmental Protection Agency, DAPC
Lazarus Government Center

P.O. Box 1049
Columbus, Ohio 43216-1049
Phone: (614)- 728-1344

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted as follows: June 2, 2006 at 1:00 PM, in the Center for Excellence on the 6th Floor at the Lazarus Government Center, 122 S. Front St., Columbus, Ohio.

All interested persons are entitled to attend or be represented at the hearings and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or to the above address by the close of business on June 2, 2006, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after June 2, 2006, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules and a synopsis of the changes are available on Ohio EPA DAPC's Web page for electronic downloading by clicking on "regulations" under the "topics" drop-down box. The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to either Lee F. Burkleca, (614)-728-1344, lee.burkleca@epa.state.oh.us or Alan Harness at 614-644-4838, alan.hariness@epa.state.oh.us or mailed to Lee F. Burkleca or Alan Harness at the above address.

Public Notice
Ohio Environmental Protection Agency
Emergency Adoption of
Ohio Administrative Code (OAC) rules 3745-14-05, 3745-72-01, and 3745-72-02

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) will be adopting the following emergency rules:

OAC rule 3745-14-05: NOx Allowance Allocations

OAC rule 3745-72-01: Applicability

OAC rule 3745-72-02: Definitions

The emergency rule amendments are being adopted to address a shortfall in the full replacement of emission reductions required for the replacement of the "E-Check" program in the Cincinnati/Dayton metropolitan areas as a result of the lack of the low-RVP fuel program for the 2006 ozone season.

The anti-backsliding provisions of the eight-hour ozone implementation rule requires Ohio EPA to replace the emission reductions lost by the expiration of the E-Check program in the Cincinnati and Dayton areas on December 31, 2005. A planned replacement program, the low-RVP fuel program, will be unavailable for the 2006 ozone season. To replace the emission reductions lost through the unavailability of this program, Ohio EPA will permanently retire unused new source NOx set aside allowances (the right to emit emissions of NOx) from the 2005 ozone season that would otherwise be returned to existing sources for the 2006 ozone season.

The amendments to OAC rule 3745-14-05 provide for the retirement of the NOx allowances. The amendments to OAC rules 3745-72-01 and 3745-72-02 modify the applicability date of the low-RVP fuel program until twelve months after approval of the program by the U.S. Environmental Protection Agency.

In addition to the changes identified above, these rules also contain changes necessary to comply with S.B. 265 which addresses incorporation of referenced materials.

The emergency rules are effective as of April 24, 2006. For detailed information on the amendments please visit the Ohio EPA DAPC "What's New" web page at <http://www.epa.state.oh.us/dapc/page/whatsnew.html> (see the information under April 24, 2006).

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
Hinkley Lighting, Inc. - Hinkley Lighting Warehouse

Notice is hereby given that on April 24, 2006, 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 Hinkley Lighting, Inc. for the property identified as the Hinkley Lighting Warehouse property (the "Property").

Hinkley Lighting, Inc. conducted a voluntary action of the approximately 3.5545 acre-Property located at 12750 Berea Rd., Lakewood, Cuyahoga County, Ohio. A no further action letter was submitted on June 1, 2005 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Hinkley Lighting, Inc. by Mr. Steven Gross, a Certified Professional, No. CP192, 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 Debi Tavizon, Records Management, 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

Fayette, Highland, Pickaway, Ross
Joint Solid Waste Management District Plan Approval

Pursuant to ORC Section 3734.55 (C)(1), notice is hereby given that on April 21, 2006, the director of Ohio EPA issued Final Findings and Orders to the Board of County Commissioners, Fayette, Highland, Pickaway, Ross Joint Solid Waste Management District, 2 North Paint Street, Suite H, Chillicothe, Ohio 45601-3186. These Findings and Orders approves the ratified, draft, amended solid waste management plan (Plan) for the Fayette, Highland, Pickaway, Ross Joint Solid Waste Management District and 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. 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.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
SUSPENSION OF A PORTION OF LABORATORY CERTIFICATION UNDER OHIO'S
VOLUNTARY ACTION PROGRAM

Notice is hereby given that on April 27, 2006, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") 3745-300-04, issued Final Findings and Orders to Environmental Science Corporation ("ESC") of 12065 Lebanon Road, Mt. Juliet, Tennessee, to suspend its certification under Ohio's Voluntary Action Program to perform analyses for the Ammonia by method 350.1. This suspension is limited to the certified laboratory's performance of work under the Voluntary Action Program.

ESC has been issued a revised laboratory certificate that reflects the analytes, parameter groups and methods for which they remain certified. ESC may perform analyses under the Voluntary Action Program only for those parameter groups, analytes and methods identified in its revised certificate.

The issuance of the suspension and revised 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, Suite 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 Debi Tavizon, 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.

Date of Public Notice: April 19, 2006

**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 proposed new Pre-Kindergarten to Grade 12 school site. The application was submitted by Allen East School District. The project is located at the northeast intersection of State Route 309 and Napoleon Road, Harrod, Allen County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 2005-00613(2). The Ohio EPA ID Number for this project is 052346.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would fill 1,320 feet of stream and 0.30 acres of wetland fringe to create athletic fields for the school. The applicant's proposed minimal degradation alternative, if approved, would impact 150 feet of stream to create 3 stream crossings (bridges) for the children to move from one end of the school to the other. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

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

No exclusions or waivers, as outlined by 3745-1-05 of the Antidegradation Rule apply or may be granted by the Director of Ohio EPA.

Starting April 19, 2006, 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.

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 May 19, 2006. Comments received after this date may not be considered as part of the official record.

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 DRAFT MODIFIED HAZARDOUS WASTE PERMIT

On April 27, 2006, Ohio EPA issued a draft modified Hazardous Waste Facility Installation and Operation Permit (Permit) to RMI Titanium Company Extrusion Plant (RMI Extrusion) for its facility at 1601 21st Street, Ashtabula, Ohio 44004. The EPA Identification Number for this facility is OHD980683544.

Why does RMI Extrusion need this Permit modification?

RMI Extrusion is permitted to operate two hazardous waste container storage units at its facility. The Director of Ohio EPA is initiating this modification to revise the permit terms and conditions to incorporate site-wide corrective measures implementation, including removal and off-site disposal of soil and active and passive ground water treatment. Ohio EPA has reviewed the facility's investigation information collected to date and is proposing corrective measures for public comment in order to address certain affected areas of the site. This draft modification contains the conditions under which the facility must operate if the Permit receives final approval. Details about this draft action can be viewed on Ohio EPA's Website under Stakeholders Involvement at <http://www.epa.state.oh.us/dhwm/>

When and where will Ohio EPA hold a Public Meeting?

You may request Ohio EPA to hold a public meeting for its draft permit modification. You should send your request 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) 728-1425, e-mail: dhwmcomments@epa.state.oh.us If the request is granted, Ohio EPA will announce the time and location of the public meeting.

When and how do I submit written comments?

You can submit written comments anytime between April 28, and June 12, 2006. 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 Permit modification package?

You can review these at one of the following locations:

Ashtabula County District Library, 335 West 44th Street, Ashtabula, Ohio 44004, (440) 997-9341;

Ohio EPA Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087, (330) 963-1200; and,

Ohio EPA, Division of Hazardous Waste Management, 122 South Front Street,
Columbus, Ohio 43215,
(614) 644-2917.

What will Ohio EPA do with the comments?

After carefully considering public comments, Ohio EPA will reconsider the draft modified Permit, making any necessary changes, and issue or deny the final modified Permit. Ohio EPA will issue a "response to public comments," specifying any changes made to the draft modified Permit. If you commented on the draft modified Permit, Ohio EPA will send you a copy of the "response to public comments" and the final permit decision.

PUBLIC NOTICE

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO
AMERICAN SPRING WIRE CORPORATION**

On April 20, 2006, Ohio EPA issued final Findings and Orders to American Spring Wire Corporation for its facility located at 26300 Miles Road, Bedford Heights, Ohio. This facility was an unpermitted, large quantity generator of hazardous waste between 1980 and 1996. The EPA I.D. number for this facility is OHD042708586.

American Spring Wire Corporation must achieve compliance with Chapter 3734 of the Ohio Revised Code and the regulations promulgated thereunder according to the detailed compliance schedule which outlines civil penalties and payments. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE FOR SIDWELL MATERIALS 3456 CAT Generator (0660960045)

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation of the Portable Diesel Generator permitted under PTI 06-07856 issued on September 20, 2005. The air contaminant source is currently located at 5441 Casey Rd., Mechanicsburg, OH, and is authorized to move to 2650 Old Dublin Rd., Hilliard, OH upon the issuance of this notice.

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 Directors 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

All inquiries concerning this action may be directed to the contact identified below.
Bruce Weinberg, Ohio EPA Southeast District Office, 2195 Front St., Logan, OH 43138.
Phone: (740) 385-8501.

PUBLIC NOTICE

OHIO EPA RECEIVES NEW HAZARDOUS WASTE CLOSURE PLAN

On April 14, 2006, Ohio EPA received a new hazardous waste closure plan from Hi Tecmetal Group for a Loading Dock area located at its Thermal Treatment Center, 28910 Lakeland Boulevard in Wickliffe, Ohio 44092. The EPA Identification Number for this facility is OHR000005942.

Why is Hi Tecmetal Group Submitting this Closure Plan?

At the request of Ohio EPA, Hi Tecmetal Group submitted this closure plan for the Thermal Treatment Center. This new closure plan identifies an area in the loading dock where 27 drums were previously stored. The concrete floor is identified as in good condition, and having no significant cracks. The closure plan lists the hazardous waste removed from the site, describes the decontamination methods, and addresses the assessment and remedial standards for soil, groundwater and masonry. The closure plan also addresses air emissions, closure certification procedures, and estimates of cost of closure.

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

You can submit written comments anytime between May 1, 2006 and May 31, 2006. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail address: dhwmcomments@epa.state.oh.us.

Where can I review the Closure Plan?

You can review the Closure Plan at the following locations:

Ohio EPA, Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087, tel: (216) 963-1200; and,

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

Licking County

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE FOR SIDWELL MATERIALS IROC CRUSHER (0607020190)**

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation of the Portable Crushing Plant permitted under PTI 17-1583 issued on December 3, 1998. The air contaminant source is currently located at 2650 Old Dublin Rd., Hilliard, OH, and is authorized to move to 6824 Mt. Vernon Rd., Newark, OH upon the issuance of this notice.

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

All inquiries concerning this action may be directed to the contact identified below.
Sarah Harter, Ohio EPA Southeast District Office, 2195 Front St., Logan, OH 43138.
Phone: (740) 385-8501.

Date of Public Notice: May 4, 2006

**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 Menard's retail store, requiring the relocation of an underground pipeline that bisects the property. The application was submitted by Menard, Inc., 4777 Menard Drive, Eau Claire, Wisconsin 54703. The project site is an 18.64 acres parcel located at 1115 Alexis Road, Toledo. The Buffalo District of the U.S. Army Corps of Engineers Number for this project is 2005-00868(1). The Ohio EPA ID Number for this project is 052410.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would result in impacts to 0.509 acres of non-forested, Category 1 wetlands. The applicant's proposed minimal degradation alternative, if approved, would result in permanent impacts to 0.13 acres and temporary impacts to 0.03 acres of non-forested, Category 1 wetlands. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Silver Creek in the Ottawa River watershed (HUC 04100001 020 120) 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 May 4, 2006, 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 Northwest 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

Notice is hereby given that on April 27, 2006, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit to Oberer Land Developers, 2800 East River Road, Dayton, Ohio 45439. The permit was issued for a project to construct MW Custom Paper on Springboro Pike, Miami Township, Montgomery County, Ohio. This permit was issued as a final action, and may be appealed to the Environmental Review Appeals Commission (ERAC), pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557 within 30 days of issuance of this final action.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE FOR MAR-ZANE PLANT #30 (0660950001)**

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation of the Portable Crusher and Screening Plant permitted under PTI 06-07185 issued on October 21, 2003. The air contaminant source is currently located at 3200 Jackson Pike, Columbus, OH, and is authorized to move to 5701 Higby Rd., Chillicothe, OH upon the issuance of this notice.

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 Directors 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

All inquiries concerning this action may be directed to the contact identified below.
Sarah Harter, Ohio EPA Southeast District Office, 2195 Front St., Logan, OH 43138.
Phone: (740) 385-8501.

Date of Public Notice: May 2, 2006

**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 place fill material into waters of the U.S. in conjunction with surface coal mining activities to extract coal at the Mapleton Re-Mining Area. The application was submitted by Buckeye Industrial Mining Company, Inc., P.O. Box 389, Lisbon, Ohio 44432. The project is located at the intersection of State Route 44 and Mapleton Street in Mapleton, Osnaburg Township, Stark County, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is 200401589. The Ohio EPA ID Number for this project is 062586.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact \pm 649 linear feet of stream channel, 0.85 acre of wetlands and 0.83 acre of open pit impoundments. The applicant's proposed minimal degradation alternative, if approved, would impact \pm 482 linear feet of stream channel, 0.01 acre of wetlands and 0.83 acre of open pit impoundments. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of unnamed tributaries to Little Sandy Creek in the Tuscarawas River Watershed (HUC 05040001 040). 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 May 2, 2006, 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: April 28, 2006

**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 after-the-fact application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to construct Phase 2 of a residential development on a 17.7-acre parcel in Trumbull County. The application was submitted by W.A.E Corporation, 346 Cheviot Place Cortland, Ohio, 44410. The project is located west of Cedar Drive and south Myrtle Avenue in Cortland, Trumbull County, Ohio. The U.S. Army Corps of Engineers (Pittsburgh District) Public Notice Number for this project is 05-56. The Ohio EPA ID Number for this project is 052276.

The applicant submitted three alternatives for this project (Preferred, Minimal, and Non-degradation alternative). The preferred alternative proposes to impact approximately 1.23 acres of jurisdictional wetlands and 602 linear feet of stream. The minimal degradation alternative proposes to impact approximately 0.91 acres of wetlands and 602 linear feet of stream. The non-degradation alternative would not impact any waters resources. Current activity at the site has impacted approximately 22 linear feet of stream.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of wetlands and a tributary of Walnut Creek. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC) and 6111 of the Ohio Revised Code (ORC). 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 3745-1-05 of the Antidegradation Rule apply or may be granted by the Director of Ohio EPA.

Beginning April 28, 2006 , 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. The application can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 6:30 PM on June 13, 2006, in the Agriculture and Family Education Center, 520 West Main Street, Cortland, Ohio, 44410. 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 projects. 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 June 20, 2006. Comments received after this date may not be considered as part of the official record of the hearing. Anyone may submit written comments or requests 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.