

PUBLIC NOTICE

The Ohio EPA Division of Solid and Infectious Waste Management received on November 27, 2006, a request from BioMedical Technology Solutions Inc, 9800 Mt Pyramid Ct, Ste 350, Englewood CO 80112, to seek approval of Demolizer Technology as an alternative treatment technology of infectious waste. The treatment involves a dry heat treatment or thermal inactivation.

Public Hearing
Ohio Environmental Protection Agency
Five-Year Rule Review of Ohio Administrative Code (OAC) Chapter 3745-15

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has performed a review of the following rules in the above referenced chapter primarily to satisfy the requirements of Section 119.032 of the Ohio Revised Code (five-year review). DAPC finds the rules to be necessary and with need for changes. The DAPC proposes to amend OAC rules 3745-15-01, "Definitions;" 3745-15-02, "Purpose;" 3745-15-04, "Measurement of emissions of air contaminants;" 3745-15-05, "De Minimis air contaminant source exemption;" 3745-15-06, "Malfunction of equipment; scheduled maintenance; reporting;" 3745-15-07, "Air pollution nuisances prohibited;" 3745-15-08, "Circumvention;" and 3745-15-09, "Severability."

The amendments are being proposed to: update the amplifying and authorizing statutes; address incorporation by reference requirements of ORC 121.72; make minor changes to grammar/format; include updates for de minimis sources to meet the requirements reflected in recent amendments to OAC Chapter 3745-77 for insignificant emissions units; include updates to the requirements for malfunction reporting to increase consistency with other state programs and clarity in Ohio's program; and include updates to clarify that public nuisance conditions consisting of odors caused solely by the emissions of odorous substances not subject to the listed Administrative Code Chapters are not regulated by the Agency.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally adopts them. On June 26, 2006, these rules went out for a 30 day review by interested parties.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on January 8, 2007 at 2:00 PM, in Conference room 5B at Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, Ohio.

Pursuant to Part D of Title I of the Clean Air Act, Ohio EPA is required to establish a state implementation plan (SIP) for the attainment and maintenance of the national ambient air quality standards (NAAQS). The above mentioned rules are a part of Ohio's SIP and the proposed amendments will be submitted to USEPA as a modification of the SIP. The above mentioned hearing shall be considered the public hearing for the SIP submittal.

All interested persons are entitled to attend or be represented at the hearing 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 by the close of business on January 8, 2007, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after January 8, 2007, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on the 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 Michael Ahern at Ohio EPA, (614) 644-3631, mike.ahern@epa.state.oh.us or mailed to Michael Ahern, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a Consent Order with the City of Hamilton (Defendant), to resolve allegations of violations of Ohio Revised Code Chapter 6111 associated with NPDES permit violations. The complaint was filed by the State of Ohio, Butler County Court of Common Pleas case number CV88-10-1450. The proposed Modified Consent Order addresses the following issues: that the Defendant shall immediately comply with the terms and conditions of NPDES permits 1PE00002 and 1PZ00077, implement program to address management, operation, and maintenance of Defendant's sanitary sewer system (CMOM) by October 1, 2007, submit to Ohio EPA an audit of CMOM program by October 1, 2008, submit for Ohio EPA approval and implement by July 1, 2007 an Overflow Emergency Response Plan, submit for Ohio EPA approval a SECAP by January 1, 2008 with an end date no later than October 1, 2014, monitor Sanitary Sewer Overflows. Also, the proposed Consent Order stipulates that the Defendants will pay a civil penalty of one hundred two thousand dollars (\$102,000).

Copies of the Consent Order can be obtained from the Ohio EPA, Southwest District Office, by calling the Division of Surface Water Enforcement Supervisor at (937) 285-6034 or by writing to:

Ohio EPA, Southwest District Office
Attn: DSW Enforcement Supervisor
401 East Fifth Street
Dayton, Ohio 45402

Written comments should be submitted to Ohio EPA, Southwest District Office at the above address. Written Comments should be submitted on or before January 5, 2007.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty day period commences on December 6, 2006. Both the State of Ohio and the City of Hamilton reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

Date of Public Notice: November 24, 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 application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for the construction of a retail development. The application was submitted by Visconsi Companies, Ltd., 360 Corporate Circle, 30050 Chagrin Boulevard, Pepper Pike, Ohio 44124. The project is located west of Interstate 71 and north of Royalton Road (SR 82), in the City of Strongsville, Cuyahoga County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 2005-02013(1). The Ohio EPA ID Number for this project is 062967.

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 0.086 acres of wetland and 6186.61 linear feet of stream. The applicant's proposed minimal degradation alternative, if approved, would result in impacts to 0.086 acres of wetland and 4941.22 linear feet of stream. 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 the Rocky 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 3745-1-05 of the Antidegradation Rule apply or may be granted by the Director of Ohio EPA.

Starting November 24, 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.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 6:30 p.m. on January 22, 2007 at the Cuyahoga County Public Library - Strongsville Branch, 18700 Westwood Drive, Strongsville, Ohio 44136. The public

hearing will end when all interested parties have had an opportunity to provide testimony related to the project.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project. The purpose of the hearing is to obtain additional information that will be considered by the Director of Ohio EPA prior to any further action on the application. 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 January 29, 2007. Comments received after this date may not be considered as part of the official record of the hearing.

Persons wishing to be on the Ohio EPA's interested parties mailing list for this project, or 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 by the close of business on January 29, 2007.

PUBLIC NOTICE

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO
JEVIC TRANSPORTATION, INC.**

On November 27, 2006, Ohio EPA issued final Findings and Orders to Jevic Transportation, Inc. for its facility located at 5340 West 161st Street, Brookpark, Ohio 44142. This facility is a small quantity generator of hazardous waste. The EPA I.D. number for this facility is OHR000106203.

Jevic Transportation, Inc. must achieve compliance with Chapter 3734 of the Ohio Revised Code and all corresponding regulations 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

**OHIO EPA APPROVES CLOSURE PLAN FOR
DAVRO, LTD**

On November 22, 2006, Ohio EPA approved a closure plan for Davro, LTD for its container storage unit located at 1200 East 152nd Street, Cleveland, Ohio 44110. The EPA I.D. number for this facility is OHR000037655.

Pursuant to Ohio Revised Code rule 3745-55-11 & 12, the facility's closure plan submitted on August 28, 2006 was approved with modifications as outlined in the Director's November 22, 2006 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

PUBLIC NOTICE

**OHIO EPA RECEIVES AMENDED HAZARDOUS WASTE POST-CLOSURE
PLAN**

On June 29, 2006, Ohio EPA received an amended hazardous waste post-closure plan from the Department of the Air Force, Air Force Real Property Agency, for an area known as I.R.P. Site 1, a former hazardous waste storage area (HWSA, Building 560 and vicinity) at the former Rickenbacker Air National Guard Base. This facility is located at 7161 2nd Street, Columbus, Ohio 43217. The EPA Identification Number for this facility is OH3571924544.

Why is the Air Force submitting this amended Post-Closure Plan?

The Air Force submitted this amended post-closure plan to make some changes in the ground water monitoring requirements specified within the current post-closure plan. The Post-Closure has been in effect since closure of the HWSA as a landfill was approved by Ohio EPA in 2003. The proposed changes include: 1) delete thallium and semivolatile organic compounds other than naphthalene from the target analyte list; 2) reduce the target analyte list for biogeochemical natural attenuation indicator parameters; and 3) revise the groundwater protection standard for zinc from 20 micrograms per liter to a higher site-specific background concentration.

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

You can submit written comments anytime between November 30, 2006 and January 2, 2007. 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 Post-Closure Plan?

You can review the Post-Closure Plan at the following locations:

Ohio EPA, Central District Office, 122 South Front Street, Columbus, Ohio 43215, tel: (614) 728-3778; and,

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

Date of Public Notice: December 1, 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 Water Quality Certification for a project consisting of commercial development, including individual commercial lots, access roads, and parking areas. The application was submitted by Edmund Corporation, 7670 Tyler Boulevard, Mentor, Ohio 44060. The project is located northeast of the intersection of Cherry Street and Center Street in the City of Chardon, Geauga County, Ohio. The Buffalo District Corps of Engineers Public Notice for this project is D/A Processing No. 2002-01500 (1). The Ohio EPA ID Number for this project is 062981.

The applicant's proposal, if approved, would impact 683 linear feet of stream channel and 0.035 of an acre of wetland area in addition to impacts to 568 linear feet of highly modified channel and 0.67 of a acre of wetland that were previously permitted by a Section 401 Water Quality Certification dated September 9, 2002 (Ohio EPA ID Number 020704).

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Big Creek, Grand 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.

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 December 1, 2006, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049 Columbus, Ohio 43216-1049 by first calling (614) 644-2001. The application can be made available at the Ohio EPA Northeast District Office by calling the same number.

All interested persons are entitled to give written comments on the proposed application. The purpose of the public notice is to obtain additional information that will be considered by the Director of Ohio EPA prior to any further action on the application. Written comments must be received by the Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on December 31, 2006. Comments received after this date may not be considered as part of the administrative record.

Date of Public Notice: December 7, 2006

**PUBLIC NOTICE
ISSUANCE OF DRAFT NPDES PERMIT RENEWAL
AND PUBLIC HEARING**

Notice is hereby given that on December 7, 2006, the Director of the Environmental Protection Agency will issue a draft National Pollutant Discharge Elimination System (NPDES) permit renewal (2IB00000) to FirstEnergy Generation Corporation, 76 South Main Street, Akron, Ohio 44308, for the discharge from the FirstEnergy Generation Corporation Bayshore Station located at 4701 Bayshore Road, Oregon, Lucas County, Ohio. "Draft Actions" are written statements of the Director's intent with respect to the issuance, denial, etc. of a permit, license, order, etc. Interested persons may submit written comments regarding draft actions.

Ohio EPA will provide an opportunity for public comment concerning this draft permit. Comments received shall be considered by the Director before the draft action is issued as final. A public hearing has been scheduled for 6:30 P.M. on January 16, 2007 at the Lake Erie Center, 6200 Bayshore Road, Oregon, Ohio 43616. The public hearing will end when everyone in attendance has had an opportunity to provide testimony related to the project. All interested persons are entitled to attend or be represented and give written or oral comments on the project. The purpose of the hearing is to obtain additional information that will be considered by the Director of Ohio EPA prior to any further action on the draft permits. 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 43126-1049 by the close of business on January 23, 2007. Comments received after this date may not be considered as part of the official record of this hearing.

Copies of the pending NPDES application, draft permit and technical support information may be reviewed and/or copies made at Ohio EPA's Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio, by first calling (419) 352-8461 to make an appointment.