

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Revised Rules for Sewage Sludge**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 6111.03 and 6111.042 of the Ohio Revised Code and in accordance with Chapter 119 of the Revised Code, proposes to adopt the following rules of the Ohio Administrative Code:

Rule Number	Rule Title	Proposed Action
3745-40-01	Definitions.	Amend
3745-40-02	Purpose, applicability and exclusions.	Amend
3745-40-03	Permits, plans and authorizations.	Amend
3745-40-04	Land application agronomic management.	Amend
3745-40-05	Land application restrictions.	Amend
3745-40-06	Land application monitoring and reporting.	Amend
3745-40-07	Other management practices; prohibition.	Amend

These rules address the final use or disposal of sewage sludge in the state of Ohio. The revised rules include minor, administrative changes that are considered housekeeping in nature.

The public comment period will run until **5 p.m. on July 10, 2007**. A public hearing on the proposed rules will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held in **Room C at 50 W. Town Street, Suite 700, Columbus, Ohio 43215 on Tuesday, July 10, 2007 at 2:00 p.m.**

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rules.

Written testimony should be sent to the attention of **Jacob Howdysell** at the Ohio EPA Division of Surface Water. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by **5 p.m. on Tuesday, July 10, 2007**, will be considered by Ohio EPA prior to final action on this rulemaking. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to **Jacob Howdysshell**, at the Division of Surface Water, at (614) 644-2018 or via email at jacob.howdysshell@epa.state.oh.us.

To receive a copy of the proposed rules, please contact **Jacob Howdysshell** at (614) 644-2018 or by the email address above. In addition, the proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on the Division of Surface Water Web page at www.epa.state.oh.us/dsw.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
REINSTATEMENT OF LABORATORY CERTIFICATION UNDER OHIO'S
VOLUNTARY ACTION PROGRAM

Notice is hereby given that on May 24, 2007, 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 Southern Petroleum Laboratories ("SPL") of 8880 Interchange Drive, Houston, Texas, granting the laboratory's request to reinstate certification under Ohio's Voluntary Action Program for a parameter group and method that had been suspended. The modified certificate reflects changes to the previous certificate issued to SPL under the Voluntary Action Program, and reinstates certification for Semi-Volatile Organic Compounds by method 8270C. The laboratory's certification number remains CL0005.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission 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. The appeal must be filed with the Commission within thirty (30) days after the notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. 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

If you would like to review a copy of the certificate, or any documents related to the laboratory's certification, please contact 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 ENVIRONMENTAL PROTECTION AGENCY
MODIFICATION OF LABORATORY CERTIFICATION UNDER OHIO'S
VOLUNTARY ACTION PROGRAM

Notice is hereby given that on May 30, 2007, 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 Kemron Environmental Services ("Kemron") of 156 Starlite Drive, Marietta, Ohio, granting the laboratory's request to modify its certification under Ohio's Voluntary Action Program to remove Total Petroleum Hydrocarbons by method 418.1 and Polynuclear Aromatic Hydrocarbons by method 8310 for the laboratory's certification. Kemron's certification number remains CL0012.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission 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. The appeal must be filed with the Commission within thirty (30) days after the notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. 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

If you would like to review a copy of the certificate, or any documents related to the laboratory's certification, please contact 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

**DETERMINATION OF CONTINUANCE OR TERMINATION OF
COMMERCIAL HAZARDOUS WASTE INCINERATOR MORATORIUM**

Notice is hereby given that on May 21, 2007, the Director, pursuant to Ohio Revised Code (ORC) 3734.124, determined that the prohibition on issuing permits for new commercial hazardous waste incinerators would be continued. The Director considered the seven items identified in ORC 3734.124(A)(1) to (7) to determine whether each item supports continuance of the moratorium, termination of the moratorium, or has little or no bearing on the continuance or termination of the moratorium.

This final determination was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

PUBLIC NOTICE

OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On June 1, 2007, Ohio EPA issued a final Class 3 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to RMI Titanium Company-Extrusion Plant for its facility at 1601 East 21st Street, Ashtabula, Ohio 44004. The EPA Identification Number for this facility is OHD980683544.

Why is RMI Titanium Company-Extrusion Plant modifying its Permit?

RMI Titanium Company-Extrusion Plant (RMI) is permitted to operate a hazardous waste container storage unit and other related hazardous waste management units at its facility. RMI wishes to terminate corrective action tasks; remove authorization for storage from the permit; and allow early expiration of the permit. This final modified permit will allow RMI 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 **July 2, 2007**. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. 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: ***Chris Korleski, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**Athens, Gallia, Meigs, and
Washington Counties**

National Pollutant Discharge Elimination System (NPDES) Permit Program

PUBLIC NOTICE

NPDES Permit to Discharge to State Waters

Ohio Environmental Protection Agency
Permits Section
50 West Town St., Suite 700
P. O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2001

Public Notice No.: OEPA 7-05-079
Date of Issue of Public Notice: May-21-2007
Name and Address of Applicant: Mayor and Council, City of Ravenswood, 212 Walnut
Street, Ravenswood, WV 26164

Name and Address of Facility
Where Discharge Occurs: Ravenswood WWTP, WV State Route 68 (Washington
Street), Ravenswood, WV, Athens, Gallia, Meigs,
Washington Counties

Outfall Flow and Location List: None

Receiving Stream: None

Nature of Business: Treatment of municipal wastewater with discharge to
Sandy Creek. Sludge removal with land application for
disposal.

Key parameters to be limited
in the permit are as follows: Mercury, Total In Sludge, Copper, Total In Sludge, Zinc,
Total In Sludge, Lead, Total In Sludge, Selenium, Total
In Sludge, Arsenic, Total In Sludge, Molybdenum In
Sludge, Nickel, Total In Sludge, Cadmium, Total In
Sludge

The Director has, after evaluation of pertinent technical, social, and economic information, determined that the discharge specified in this permit will result in a change from ambient in water quality of the receiving stream. This change will not interfere with or become injurious to the existing designated use.

On the basis of preliminary staff review and application of standards and regulations, the director of the Ohio Environmental Protection Agency will issue a permit for the discharge subject to certain effluent conditions and special conditions. The draft permit will be issued as a final action unless the director revises the draft after consideration of the record of a public meeting or written comments, or upon disapproval by the administrator of the U.S. Environmental Protection Agency. Any person may submit written comments on the draft permit and administrative record and may request a public hearing. A request for public hearing shall be in writing and shall state the nature of the issues to be raised. In appropriate cases, including cases where there is significant public interest, the director may hold a public hearing on a draft permit or permits prior to final issuance of the permit or permits. Following final action by the director, any aggrieved party has the right to appeal to the Environmental Review Appeals Commission.

Interested persons are invited to submit written comments upon the discharge permit. Comments should be submitted in person or by mail no later than 30 days after the date of this public notice. Comments should be delivered or mailed to both of the following locations: 1) Ohio Environmental Protection Agency, Lazarus Government Center, Division of Surface Water, Permits Processing Unit, 50 West Town St., Suite 700, P.O. Box 1049, Columbus, Ohio 43216-1049 and 2) Ohio Environmental Protection Agency, Central District Office PO Box 1049 Columbus, OH 43216-1049.

The Ohio EPA permit number and public notice numbers should appear next to the above address on the envelope and on each page of any submitted comments. All comments received no later than 30 days after the date of this public notice will be considered.

The application, fact sheets, permit including effluent limitations, special conditions, comments received, and other documents are available for inspection and may be copied at a cost of 5 cents per page at the Ohio Environmental Protection Agency at the address shown on page one of this public notice any time between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Copies of the public notice are available at no charge at the same address.

Mailing lists are maintained for persons or groups who desire to receive public notice for all applications in the state or for certain geographical areas. Persons or groups may also request copies of fact sheets, applications, or other documents pertaining to specific applications. Persons or groups may have their names put on such a list by making a written request to the agency at the address shown above.

Date of Public Notice: May 26, 2007

**PUBLIC NOTICE RECEIPT
NOTICE OF 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 to construct an office campus. The application was submitted by Progressive Casualty Insurance Company, 6300 Wilson Mills Road, Mayfield Village, Ohio 44143. The 65-acre project site is located at 500 SOM Center Road (State Route 91) in Mayfield Village, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 2005-2473(5). The Ohio EPA ID Number for this project is 073098.

As required by the Antidegradation Rule, rule 3745-1-05 of the Ohio Administrative Code (OAC), three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 5.87 acres of Category 2 and Category 1 wetlands of which 4.62 acres are forested and 1.25 acres are non-forested wetlands. The applicant's proposed minimal degradation alternative, if approved, would impact 4.98 acres of Category 2 and Category 1 wetlands of which 4.28 acres are forested and 0.70 acre are non-forested wetlands. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in the Chagrin River watershed 04110003-030. Ohio EPA will review the application, and decide whether to grant or deny the application, in accordance with OAC Chapters 3745-1 and 3745-32. In accordance with OAC rule 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of water quality. All three proposed alternatives will be considered during the review process. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting May 26, 2007, copies of the application and technical support information may be inspected at Ohio EPA-DSW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio, by first calling (614) 644-2001. Copies of the application and technical support information can be made available upon request 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 thirty days of the date of this public notice.

**PUBLIC NOTICE
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a Consent Order with Richard Rench (Defendant) to resolve allegations of violations of Ohio Revised Code (R.C.) Chapters 6109 and 6111 associated with numerous violations of safe drinking water and water pollution control laws of the State of Ohio at the Riverview Manor Apartments (Riverview) near Milan, Ohio. The complaint was filed by the State of Ohio in Erie County Court of Common Pleas case number 2005-CV-424. Under the proposed Consent Order, Defendant is permanently enjoined and immediately ordered to comply with requirements of R.C. Chapters 6109 and 6111 and the rules adopted thereunder. Specifically, Defendant will be connecting Riverview's drinking water distribution system to Northern Ohio Rural Water by July 31, 2007 and decommissioning the existing drinking water system at Riverview by August 31, 2007. Defendant is required to immediately comply with the terms and conditions of the National Pollutant Discharge Elimination System Permit (#2PW00012) and any renewals or modifications for the Waste Water Treatment Plant at Riverview. Also, the proposed Consent Order stipulates that the Defendant shall pay the State of Ohio a civil penalty of ten thousand dollars (\$10,000.00).

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

Ohio EPA, Northwest District Office
Attn: DSW Enforcement Supervisor
347 North Dunbridge Road
Bowling Green, Ohio 43402

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

The final approval and entry of the proposed Consent Order will not occur until after the thirty-day public comment period has expired. The thirty-day period commences on June 4, 2007. Both the State of Ohio and Richard Rench reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

PUBLIC NOTICE

**OHIO EPA ISSUES DRAFT HAZARDOUS WASTE PERMIT TO
METALLURG VANADIUM CORPORATION**

On May 22, 2007, Ohio EPA issued a draft Hazardous Waste Facility Installation and Operation Permit (Permit) for Metallurg Vanadium Corporation (Metallurg) for its facility located at 60790 Southgate Road, Cambridge, Ohio 43725. The EPA Identification Number for this facility is OHD042319244.

Why does Metallurg Vanadium Corporation need a Permit?

Metallurg uses hazardous waste spent petroleum catalyst as a raw material in the manufacture of ferrovanadium alloy and other metal products at the Cambridge facility. On June 4, 2002, Metallurg qualified for permit-by-rule status. To store the hazardous wastes, Metallurg needs a Permit. The draft Permit contains the conditions under which the facility must operate if the Permit receives final approval. To issue this draft Permit, Ohio EPA determined that the Part B permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws that demonstrates reliability, expertise and competency to operate a hazardous waste facility. When issued, the final Permit will allow Metallurg to store hazardous waste in the designated areas at the facility. Details about this draft action can be viewed on Ohio EPA's website under Stakeholders Involvement at <http://web.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 this draft permit. You should send your request to: Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2917, fax number (614) 728-1245, 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 May 23, 2007 and July 6, 2007. Send your comments to Ohio EPA, Lazarus Government Center, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2917, fax number (614) 728-1245, e-mail: dhwmcomments@epa.state.oh.us.

Where can I review the Permit Application and draft Permit?

You can review these at one of the following locations:

Cambridge Main Library, 800 Steubenville Avenue, Cambridge, Ohio 43725, tel: (740) 432-7142;

Ohio EPA -Southeast District Office, 2195 Front Street, Logan, Ohio 43138, tel: (740) 385-850; and,

Ohio EPA, Division of Hazardous Waste Management, 50 West Town Street, Suite 700, 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 Permit, making any necessary changes, and issue or deny the final Permit. Ohio EPA will issue a "response to public comments," specifying any changes made to the draft Permit. If you commented on the draft Permit, Ohio EPA will send you copies of the "response to public comments" and the final permit decision.

PUBLIC NOTICE

Notice is hereby given that on May 16, 2007, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit to Columbus Regional Port Authority, 4600 International Gateway, Columbus, Ohio 43219. The permit was issued for a project to remove wetland vegetation and soils. The project is located south of Rickenbacker International Airport, south of Ashville Pike and east of the railroad tracks, near the town of Duval, Pickaway 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 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 of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with Environmental Review Appeals Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557.

PUBLIC NOTICE

**OHIO EPA APPROVES AMENDED CLOSURE PLAN FOR
G.M. CORPORATION - LORDSTOWN FACILITY**

On May 30, 2007, Ohio EPA approved an amended closure plan for the General Motors Corporation - Lordstown Metal Fabricating Division, for one container storage area located at 2369 Ellsworth-Bailey Road, Lordstown, Ohio. The EPA I.D. number for this facility is OHD083321091.

Pursuant to Ohio Revised Code rule 3745-66-12, the facility's amended closure plan submitted on February 27, 2007 was approved with modifications as outlined in the Director's May 30, 2007 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.