

## **PUBLIC NOTICE**

### **FINAL ISSUANCE OF RENEWAL CERTIFICATE OF REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE**

Notice is hereby given that on June 15, 2007, the director of Ohio EPA issued an infectious waste generator certificate to DaVita Inc, 5200 Virginia Way, Brentwood, TN 37027, Reg. No.: 00-G-01073. 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**

### **FINAL ISSUANCE OF RENEWAL CERTIFICATE OF REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE**

Notice is hereby given that on June 15, 2007, the director of Ohio EPA issued an infectious waste generator certificate to Abbott Laboratories Inc, One Abbott Park Rd, Abbott Park, IL 60064, Reg. No.: 00-G-01244. 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**  
**Sufficient Evidence Determination**  
**under Ohio's Voluntary Action Program**

Notice is hereby given that on June 15, 2007, 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 letter which determines that D.S. OH Limited Partnership has demonstrated sufficient evidence of entry and participation in the Voluntary Action Program for the former Midwest Rubber Property located at 745 Norton Avenue, Summit County, Ohio.

You are hereby notified that the issuance of a sufficient evidence letter is a final action of the Director 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 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 Environmental Review Appeals Commission 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

If you would like to review a copy of the letter, 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 ENVIRONMENTAL PROTECTION AGENCY  
REINSTATEMENT OF LABORATORY CERTIFICATION UNDER OHIO'S  
VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on June 20, 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 Summit Environmental Technologies, Inc. ("Summit") of 595 East Tallmadge Avenue, Akron, Ohio, granting the laboratory's request to reinstate certification under Ohio's Voluntary Action Program for Polynuclear Aromatic Hydrocarbons by method 8310. Summit's certification number remains CL0052.

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  
RENEWAL OF LABORATORY CERTIFICATION  
AND REINSTATEMENT CERTIFICATION  
UNDER THE VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on June 20, 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 renewal of laboratory certification to Pace Analytical Services("Pace") of 7726 Moller Road, Indianapolis, Indiana.

Also, on that date, the Director granted Pace's request to reinstate its certification for Semi-Volatile Organic Compounds by method 8270C. The certification number assigned to Pace remains CL0065.

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.

**Date of Public Notice: June 27, 2007**

**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 190-foot high, 2,100-foot long, coal slurry impoundment and a coarse coal refuse disposal area. The application was submitted by Ohio Valley Coal, 56854 Pleasant Ridge Road, Allendonia, Ohio 43902. The project is located in the Casey Run watershed between State Route 148 and Pleasant Ridge Road, about 1.5 miles west of Allendonia, Ohio. The Ohio Department of Natural Resources Permit Number for this project is D-360-14. The Pittsburgh District of the U.S. Army Corps of Engineers Public Notice Number for this project is 04-38A. The Ohio EPA ID Number for this project is 073138.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, to construct both the slurry impoundment and the coarse coal refuse disposal area, would, if approved, impact approximately 9,574 linear feet of perennial stream channels, 17,135 linear feet of intermittent stream channels, and 6,488 linear feet of ephemeral stream channels, for a total impact of 33,197 linear feet. Additionally 18 small Category 1 and Category 2 wetlands, totaling 0.46 acres, would be impacted by the proposed slurry impoundment.

The applicant's proposed minimal degradation alternative, to construct just the slurry impoundment, would, if approved, impact approximately 9,574 linear feet of perennial stream channels, 14,928 linear feet of intermittent stream channels, and 6,426 linear feet of ephemeral stream channels, for a total impact of 30,928 linear feet. Additionally 18 small Category 1 and Category 2 wetlands, totaling 0.46 acres, would be impacted by the proposed slurry impoundment.

The applicant's proposed non-degradation alternative, off-site disposal, would, if approved, have no direct impacts on streams or wetlands within the Casey Run watershed.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Casey Run and its tributaries in the Captina Creek 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 June 27, 2007, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 50 West

Town 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**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
SGL CARBON TECHNIC, LLC.**

On June 18, 2007, Ohio EPA issued final Findings and Orders to SGL Carbon Technic, LLC for its facility located at 121945 Drake Road, Strongsville, Ohio 44149. This facility is a conditionally exempt small quantity generator of hazardous waste. The EPA I.D. number for this facility is OHD193801065.

SGL Carbon Technic LLC 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**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
RUSSELL PRODUCTS COMPANY, INC.**

On June 11, 2007, Ohio EPA issued final Findings and Orders to Russell Products Company, Inc. for its facility located at 12128 Sprecher Avenue, Cleveland, Ohio 44135. This facility is a small quantity generator of hazardous waste. The EPA I.D. number for this facility is OHD066039801.

Russell Products Company, Inc. 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**

**OHIO EPA APPROVES AMENDED CLOSURE PLAN FOR  
MITTAL STEEL, USA**

On June 20, 2007, Ohio EPA approved an amended closure plan for Mittal Steel, USA facility's former electric shop degreaser sludge unit located at 3060 Eggers Avenue, Cleveland, Ohio 44105. The EPA I.D. number for this facility is OHD004218673.

Pursuant to Ohio Revised Code rule 3745-66-11 & 12, the facility's amended closure plan submitted on February 2, 2007 was approved as outlined in the Director's June 20, 2007 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
K-B PLATING, INC.  
(corrected)**

On May 24, 2007, Ohio EPA issued final Findings and Orders to K-B Plating for its facility located at 3685 East 78<sup>th</sup> Street, Cleveland, Ohio 44105. This facility is a large quantity generator of hazardous waste. The EPA I.D. number for this facility is OHDD982066664.

K-B Plating, Inc. 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.

**Date of Public Notice: June 25, 2007**

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

Notice is hereby given that on June 25, 2007, the Director of the Environmental Protection Agency will issue a draft National Pollutant Discharge Elimination System (NPDES) permit (21F00005) to Marion Ethanol, LLC, 2209 East 57<sup>th</sup> Street North, Sioux Falls, South Dakota, 57104, for the discharge from the proposed drymill ethanol production facility in the northwest, northeast and southeast 1/4 section 8 of Marion Township, Marion 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.

The discharges from the facility, if approved, would result in degradation to, or lowering of, the water quality of Rock Swale Ditch. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1-07, will not be exceeded.

In accordance with OAC 3745-1-05, Ohio EPA will provide an opportunity for public comment concerning this project. 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 August 8, 2007 at the Harding High School Cafetorium, 1500 Harding Highway East, Marion, Ohio 43302. 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 permit. 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 August 15, 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 43402, Columbus, Ohio 43215 by first calling (419)352-8461 to make an appointment.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
DK MANUFACTURING FRAZEYSBURG, INC.**

On May 30, 2007, Ohio EPA issued final Findings and Orders to DK Manufacturing Frazeytsburg, Inc. its facility located at 119 West 2<sup>nd</sup> Street, Frazeytsburg, Ohio 43822. This facility is a large quantity generator of hazardous waste. The EPA I.D. number for this facility is OHD004284535.

DK Manufacturing Frazeytsburg, Inc. 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.

**Date of Public Notice: June 22, 2007**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF APPLICATION AND PUBLIC HEARING  
ANTIDEGRADATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has received an application for the modification of a National Pollutant Discharge Elimination System (NPDES) permit (OPE00000) and the issuance of a Plan Approval (599830) for a long term control plan for the City of Zanesville Wastewater Treatment Plant located at 1730 Moxahala Avenue, Zanesville, Ohio 43701. The applications were submitted by the City of Zanesville, 401 Market Street, Zanesville, Ohio 43701.

The long term control plan considers the existing and potential discharges from the collection system (combined sewer overflows) within the pervue of the city. The plan estimates growth, development, increased discharges, decreased discharges and ultimate controls over these discharges to either eliminate them or reduce them to appropriate levels to maintain and protect water quality standards and criteria. The proposed discharges are to the Muskinugm River.

Other wastewater disposal alternatives resulting in lesser or no degradation or lowering of water quality will be considered by Ohio EPA.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of the Muskingum River. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1, will not be exceeded. 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.

Copies of the pending NPDES and Plan Approval applications are available for review at Ohio EPA's Southeast District Office, 2195 Front Street, Logan, Ohio 43138, (740) 385-8501. An Ohio EPA public hearing on the proposed project has been scheduled for 6:30 P.M. on August 7, 2007, at the Zanesville City Hall, 1<sup>st</sup> floor conference room, 401 Market Street, Zanesville, Ohio 43701. 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 applications. Persons wishing to 1) be on the 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, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by close of business on August 14, 2007. Comments received after this date may not be considered as part of the official record.

**Date of Public Notice: June 13, 2007**

**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 proposed surface and auger mining of the No. 4 and No. 5 coal seams Sands Hill Coal Company's proposed Stanton North mine site. The application was submitted by Sands Hill Coal Company, 38701 State Route 160, Hamden, Ohio 45634. The project is located in Sections 23, 24, and 29 of Wilkesville Township in Vinton County, Ohio, approximately 1 mile south of Hawks, Ohio. The Huntington District of the U.S. Army Corps of Engineers public notice number is 2006-408-OHR. The Ohio Department of Natural Resources application number for this project is 10358. The Ohio EPA ID Number for this project is 062969.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would be to extract limestone and the No. 4A and No. 5 coal seam from the 183.7-acre site. Conventional surface and auger mining methods, that require removal of covering soil and rock (overburden), extraction of coal, and replacement of rock and soil to approximate original contours will be used. Following this activity, final reclamation will be completed and the land will be restored to grazing post-mining use. Total impacts under this alternative will affect 13,259 linear feet of intermittent and ephemeral stream and 0.265 acre of wetland. Under the preferred alternative, mining will produce approximately 1,727,900 tons of coal.

The applicant's proposed minimal degradation alternative, if approved, would eliminate the surface mining of approximately 58 acres of coal. Approximately 125 acres would remain for surface mining. Selection of this alternative would impact 7,496 feet of stream and 0.125 acre of wetland per R.D. Zande. The minimal degradation alternative would result in the production of 1,212,375 tons of coal. 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, intermittent stream tributaries to Raccoon Creek in the Southeast Ohio tributaries drainage basin (HUC 05040006 030). 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(D) of the Antidegradation Rule (effective as of May 1, 1998) apply or may be granted by the Director of Ohio EPA.

Starting June 13, 2007, copies of the application for the certification 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. 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.