

**NOTICE OF ADOPTION OF RULES  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Rules Governing  
Use and Disposal of Sewage Sludge**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA), under the authority of Ohio Revised Code Sections 6111.03 and 6111.042 has **adopted** the following rules of the Ohio Administrative Code:

<b>Rule Number</b>	<b>Rule Title</b>	<b>Action</b>
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

The Director's order of adoption was issued on **August 29, 2007**. These **adopted** rules will become effective on **October 1, 2007**. To request a copy of the rules, write to Elizabeth Bailik, Ohio Environmental Protection Agency, Division of Surface Water, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, OH 43216-1049 or call Ms. Bailik at (614) 644-2039. The adopted rules are also available on the Ohio EPA Division of Surface Water Web site at [www.epa.state.oh.us/dsw](http://www.epa.state.oh.us/dsw).

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on **July 10, 2007**, and comments received during the public comment period.

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 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, OH 43215

**Public Hearing Notice**  
**Ohio Environmental Protection Agency**  
**Five-Year Rule Review of Ohio Administrative Code (OAC) rule 3745-21-07**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has performed a review of the above-referenced rule primarily to satisfy the requirements of Section 119.032 of the Ohio Revised Code (five-year review). DAPC has found that OAC rule 3745-21-07 (Control of emissions of organic materials from stationary sources (i.e., emissions that are not regulated by rule 3745-21-09, 3745-21-12, 3745-21-13, 3745-21-13, 3745-21-14, 3745-21-15, 3745-21-16, or 3745-21-18 of the Administrative Code)( continues to be necessary, but with significant applicability changes.

DAPC is proposing changes to the current rule to: (a) limit its continued applicability to emissions units that have been required to install controls, or employ control measures pursuant to the existing rule, and (b) maintain the requirements of paragraph (G)(1) in the current rule. The number of changes being made require that the existing rule be rescinded, and a new rule be proposed in its place.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rule before the division formally proposes them. Prior review periods were held ending on 8/17/06 (14 days), and 3/2/06 (30 days). A public hearing was also held on 3/1/06 regarding this rule. Comments were received and changes were made based on the comments. Due to the quantity and complexity of changes, DAPC is withdrawing the rule language originally proposed to the Joint Committee on Agency Rule Review (JCARR) on January 12, 2006 and proposing new language.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on October 3, 2007 at 2:30 p.m., in Conference Room A, 6th Floor at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, 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 October 3, 2007, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after October 3, 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 Todd Brown at Ohio EPA, (614) 644 - 4839, [todd.brown@epa.state.oh.us](mailto:todd.brown@epa.state.oh.us), or mailed to Todd Brown, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**URBAN SETTING DESIGNATION FOR**  
**Louis B. Green Trust Property, Anderson Township**

Public notice is hereby given that the Ohio Environmental Protection Agency (EPA) has received, on July 13, 2007, a request to approve an Urban Setting Designation for approximately 2.1 acres of land located at 7135 Beechmont Avenue and 7114 Salem Avenue, Anderson Township, Hamilton County. This request was submitted by Randy Bishop, Environmental Resources Management, on behalf of Thomas H. Bergman and Associates, Inc.

Pursuant to Ohio Administrative Code 3745-300-10(D), Ohio's Voluntary Action Program (VAP) allows for the voluntary clean up of contaminated property in Ohio without the risk of state civil liability. Under VAP, ground water cleanup is required where contaminated ground water poses risks to the community or environment.

A USD may be requested for properties participating in the VAP when there is no current or anticipated future use of ground water by local residents for drinking, showering, bathing or cooking. In these areas, an approved USD would lower the cost of cleanup and promote economic redevelopment while still protecting public health and safety.

The Ohio EPA director may approve the request for a USD based on a demonstration by the certified professional that the USD requirements are met and an evaluation of existing or future uses of ground water in the area have been assessed.

Comments regarding this request for USD must be received by the close of business on September 28, 2007. Please direct your comments by mail to Stephanie McChesney at Ohio EPA-Southwest District Office, 401 E. Fifth Street, Dayton, Ohio 45402 or by email at [stephanie.mcchesney@epa.state.oh.us](mailto:stephanie.mcchesney@epa.state.oh.us). The USD application can be viewed by contacting Lu Irwin, Records Coordinator, at 937-285-6050.

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

Notice is hereby given that on August 29, 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 TestAmerica Analytical Testing Corp. ("TestAmerica"), 3601 South Dixie Drive, Kettering, Ohio granting the laboratory's request to reinstate certification under Ohio's Voluntary Action Program for Semi-Volatile Organic Compounds by method 8270C. The modified certificate also includes the laboratory's request to remove and modify certain methods under its current certification. The certification number assigned to TestAmerica remains CL0018.

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.

**Notice of Availability**  
**Ohio Environmental Protection Agency**  
**Draft Model General Air Permits Available for Public Comment**

Notice is hereby given that the Director of Environmental Protection (“Ohio EPA”) is making available for public comment the following qualifying criteria and emissions unit specific terms and conditions for modified model general permits (MGP) under the Division of Air Pollution Control (DAPC):

- Qualifying Criteria and Terms and Conditions for Dry to Dry perchloroethylene dry cleaning non-residential facility that uses up to 2100 gallons perchloroethylene per rolling, 12-month period and is equipped with a carbon adsorber.
- Qualifying Criteria and Terms and Conditions for Dry to Dry perchloroethylene dry cleaning non-residential facility that uses up to 2100 gallons perchloroethylene per rolling, 12-month period, installed before December 21, 2005.

These amendments are necessary to incorporate changes resulting from the July 27, 2006 [71 FR 42742] amendment of the “National Perchloroethylene Air Emissions Standards for Dry Cleaning Facilities contained in 40 CFR Part 63, Subpart M (“Perc Drycleaning MACT”). The existing MGPs in this category are: “Small perchloroethylene dry cleaning facilities that use less than 140 gallons perchloroethylene per rolling, 12-month period” and “Large perchloroethylene dry cleaning facilities that use between 140 and 2099 gallons perchloroethylene per rolling, 12-month period.” They will no longer be available for use upon implementation of these new MGPs.

The Ohio EPA, DAPC general permit program is regulated under Ohio Administrative Code (OAC) 3745-31-29, General Permit to Install, and 3745-35-08, General Permit to Operate. This notice is being issued in order to fulfill the requirements of OAC Rule 3745-31-29(A)(3) and OAC Rule 3745-35-08(A)(3). Additional information regarding the general permit program can be found in the regulations on the Ohio EPA Web page at <http://www.epa.state.oh.us/dapc/regs/regs.html>. These documents will be available for public comment through October 1, 2007. These document are available on the Web page for electronic downloading by clicking on “General Permits” under the “ topics” drop-down box. The URL is: <http://www.epa.state.oh.us/dapc/ppec/gpwg.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 Jennifer Hunter at Ohio EPA, (614) 644-3696, [jennifer.hunter@epa.state.oh.us](mailto:jennifer.hunter@epa.state.oh.us), or mailed to Jennifer Hunter, Attn: General Permits, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**INITIAL CERTIFICATION OF ENVIRONMENTAL PROFESSIONAL**  
**UNDER OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on August 30, 2007, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued an initial "certified professional" certification to: **Mr. Benjamin H. Iden, CP 312**. The issuance of the certification 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, Room 222, Columbus, OH 43215.

If you would like to review a copy of the certificate, or any documents related to the 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.

**PUBLIC NOTICE**

**OHIO EPA ISSUES EMERGENCY PERMIT TO  
BP PRODUCTS NORTH AMERICA**

On August 30, 2007, Ohio EPA issued an emergency permit to BP Products North America, Inc. to divert and temporarily store the hazardous waste overflow from G-Tank (into D-Pond and C-Pond) located at their facility on 1150 South Metcalf Street, in Lima, Ohio. The Ohio EPA emergency permit I.D. number assigned to this action is 03-02-1021E.

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  
iSOURCE PERFORMANCE MATERIALS, LLC**

On August 30, 2007, Ohio EPA issued final Findings and Orders to iSource Performance Materials for its facility located at 1235 Marquette Street, Cleveland, Ohio 44114. This facility is a large quantity generator of hazardous waste. The EPA I.D. number for this facility is OHD004195558.

iSource Performance Materials 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**

**CESSATION OF EXPLOSIVE GAS CONTINGENCY MONITORING**

Notice is hereby given on August 24, 2007, pursuant to OAC Rule 3745-27-12(K)(4), effective June 1, 1994, the director of Ohio EPA authorize the discontinuance of contingency explosive gas monitoring at the following monitoring probes: GP-3, GP-5, GP-6, GP-7, and GP-9, for the closed Village of Ansonia Landfill (Facility). The Facility is located at the NE Corner of Ansonia on State Route 118, in Darke County. This action is 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 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 Directors 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 at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

**PUBLIC NOTICE**

Notice is hereby given that on August 30, 2007, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit to Glen Valley Farms, Ltd., 5738 Task Road, Madison, Ohio 44057. The permit was issued for a project to continue construction of a residential development. The project is located north of State Route 87 (Kinsman Road) and west of State Route 528 (Madison Road), Middlefield, Geauga 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.

**Date of Public Notice: September 5, 2007**

**PUBLIC NOTICE  
OF PUBLIC HEARING FOR SECTION 401 CERTIFICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) is reviewing 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 develop a 67 acre town center retail area including 30 acres of greenspace and on-site stream mitigation. The application was submitted by Silverman and Company, Inc., 9545 Kenwood Road, Suite 401, Cincinnati, Ohio 45242. The project is located south of Harrison Pike between Filview Circle and Lee Court in Green Township, Hamilton County, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is LRH-2007-100-GMR. The Ohio EPA ID Number for this project is 073143.

Discharges from the activity, if approved, would result in minimal degradation to, or lowering of, the water quality of Taylor Creek in the Great Miami Watershed. 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 September 5, 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.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 6:30 p.m. on October 25, 2007 at the Nathanael Green Lodge, 6394 Wesselman Road, Cincinnati, Ohio 45248. 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. Persons wishing to be on Ohio EPA's interested parties mailing list for

this project, or wish to submit 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 November 1, 2007. Comments received after this date may not be considered as part of the official record of the hearing.

**Date of Public Notice: August 31, 2007**

**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 water quality certification to conduct annual maintenance dredging and associated placement of dredged material from the Toledo Harbor Federal navigation channels into either the open-lake or a confined disposal facility (CDF). The application was submitted by the U.S. Army Corps of Engineers, Buffalo District, 1776 Niagara Street, Buffalo, New York 14207-3199. The project is located in the Lake Erie Approach and Maumee River Federal navigation channels, and at the open-lake placement and confined disposal facilities of Toledo Harbor, City of Toledo, Lucas County, Ohio. The Ohio EPA ID Number for this project is 073192.

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 involve annual dredging of up to 1,350,000 cubic yards of sediment annually, open lake dispose 1,250,000 cubic yards annually and place 100,000 cubic yards annually in a confined disposal facility. The applicant's proposed minimal degradation alternative, if approved, would involve annual dredging of up to 1,000,000 cubic yards of sediment annually, open-lake disposal of up to 900,000 cubic yards annually and place up to 100,000 cubic yards annually in a confined disposal facility. 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 of Lake Erie. 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 August 31, 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.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on October 23, 2007 at 6:30 p.m. at the City of Toledo Council Chambers, Suite 2100, One Government Center, Toledo, OH 43604. 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 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 October 30, 2007. 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.

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

**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 a steel crib extension at 155 Roth Drive, Put-in-Bay, Ohio. The application was submitted by Robert C and Christine Drummond, Trustees, 7009 West St. Andrews Avenue, Yorktown, IN 47396. The project is located at 155 Roth Drive, Put-in-Bay, Ohio 43456. The Buffalo District of the U.S. Army Corps of Engineers Number for this project is 2006-689. The Ohio EPA ID Number for this project is 073049.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would place 387 cubic yards of fill below the ordinary high water mark for construction of 123 linear feet of 12 foot wide steel crib pier. The applicant's proposed minimal degradation alternative, if approved, place 317 cubic yards of fill for 125 linear feet of 10 foot wide steel crib pier. 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 Lake Erie 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 August 25, 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.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 3:00 p.m. on October 10, 2007 at the Put-in-Bay Town Hall, 435 Catawba Avenue, Put-in-Bay, Ohio. 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, Attn: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on October 17, 2007. Comments received after this date may not be considered as part of the official record of the hearing.

Persons wishing to be on 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, Attn: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on October 17, 2007.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT TO  
SUNOCO CHEMICALS-HAVERHILL**

On August 31, 2007, Ohio EPA issued a final Class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Sunoco Chemicals-Haverhill for its facility at 1019 Haverhill-Ohio Furnace Road, Haverhill, Ohio 45636. The EPA Identification Number for this facility is OHD005108477.

**Why is Sunoco Chemicals-Haverhill modifying its Permit?**

Sunoco Chemicals-Haverhill (Sunoco) is a chemical production facility that produces phenol and acetone from cumene. Wastes from the production of these chemicals are stored in three permitted tanks prior to being used as a fuel in Sunoco's boilers. Sunoco wishes to update the facility's contingency plan, including changes in the emergency procedures (i.e., spill or release response procedures). This final modified permit will allow Sunoco to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the Permit 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 October 4, 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.