

## **PUBLIC NOTICE**

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

Notice is hereby given that on December 31, 2007, the director of Ohio EPA issued an amended infectious waste transporter certificate to Midwest Waste Services LLC, 1924 E 177<sup>th</sup> St, Lansing IL 60438, Reg. No. 00-T-00237. 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.

**Ohio Environmental Protection Agency  
Division of Drinking and Ground Waters**

**PUBLIC NOTICE**

**January 2, 2008**

Public notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters has adopted two new policies. The policies have been written to provide technical guidance to the regulated community for compliance with the laws of Ohio Revised Code and the division's rules of Ohio Administrative Code. The two new policies are as follows:

OPR -05-002 Policy for Disinfection of Finished Water Storage Facilities  
and Water Mains

OPR-06-001 Policy for Evaluating and Responding to Water Distribution  
Systems and Subsystems that have Depressurized

Copies of the policies are available from the division's web site, which is found at <http://www.epa.state.oh.us/ddagw/dwguid.html> or by writing to:

Ohio EPA  
Lazarus Government Center  
Attention: Gina Hayes, DDAGW  
P.O. Box 1049  
Columbus, Ohio 43216

**PUBLIC NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
**Home Depot USA – Steelyard Commons – Home Depot Parcel**

Notice is hereby given that on December 28, 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 Covenant Not To Sue/Final Findings and Orders to Home Depot USA for the property identified as the Steelyard Commons – Home Depot Parcel property (the “Property”).

Home Depot USA conducted a voluntary action of the approximately ~12.00 acre-Property located at 3355 Steelyard Drive, Cleveland, Cuyahoga County, Ohio. A no further action letter was submitted on November 3, 2006 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Home Depot USA by Mr. Larry S. Smith, a Certified Professional (No. CP133), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

The issuance of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. The action may be appealed to the Environmental Review Appeals Commission (“Commission”). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. (See ORC 3745.04 and 3745.07). A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

If you would like to review a copy of the Covenant Not To Sue/Final Findings and Orders, please contact Debi Tavizon, Records Management 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.

**Statewide**

**Ohio Environmental Protection Agency  
P U B L I C   N O T I C E  
Amended Final Project Priority List and Intended Projects List  
For the Drinking Water Assistance Fund  
For Program Year 2008**

Public notice is hereby given that the Director of the Ohio Environmental Protection Agency issued a final action effective December 31, 2007, adopting the Amended Final Project Priority List and Intended Projects List which will be used to fund projects from January 1, 2008 through June 30, 2008 from the Drinking Water Assistance Fund. The Drinking Water Assistance Fund is authorized by Ohio Revised Code section 6109.22 and Section 1452 of the Safe Drinking Water Act. This action may be appealed, in writing, within thirty (30) days of this notice, to the Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Notice of any appeal shall be filed with the Director within three (3) days. This notice of appeal shall be sent to: Division of Drinking and Ground Waters, Ohio Environmental Protection Agency, P.O. Box 1049, Columbus, Ohio 43216-1049. Consult ORC Chapter 3745 and OAC Chapters 3745-47 and 3746-05 for requirements.

Copies of the Amended Final Project Priority List and Intended Projects List are available from the Division of Drinking and Ground Waters, upon request, and also through the Internet at <http://www.epa.state.oh.us/ddagw/dwaf.html>

**PUBLIC NOTICE**

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

On December 21, 2007, Ohio EPA issued an emergency permit to BP Products North America, Inc. for diversion of the storm water system into D-Pond and C-Pond (D-Pond and C-Pond may be hazardous by characteristic for D018 Benzene) 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 03-02-1022E.

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  
J H & H MANAGEMENT, INC.**

On December 28, 2007, Ohio EPA approved a closure plan for J.H. & H. Management, Inc. for its indoor container storage area, one outdoor container storage and hazardous waste disposal area, and one outdoor container storage pad at the former Novacote, Inc. facility located at 3807 West 150<sup>th</sup> Street in Cleveland, Ohio. The EPA I.D. number for this facility is OHR000014043.

Pursuant to Ohio Administrative Code rule 3745-55-11/3745-66-11, and 3745-55-12/3745-66-12, the facility's closure plan submitted on June 22, 2007 is approved with modifications as outlined in the Director's December 28, 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 Director Issues  
Final Findings and Orders for the  
Former Mobil Mining and Minerals Site located  
Near Fernald, Hamilton County, Ohio**

On December 28, 2007, the Director of the Ohio Environmental Protection Agency (Ohio EPA) issued as a final action Director's Final Findings and Orders (DFFOs) for Interim Action to Rhodia Inc. and Exxon Mobil Oil Corporation for implementation of an interim at the former Mobil Mining and Minerals site, located on and around the east side of Paddys Run Road, near Fernald, Hamilton County, Ohio (Site). The Site is now owned by Rhodia Inc. of Cranbury, New Jersey.

The DFFOs require the parties to protect public health and safety and the environment through the design and implementation of an Interim Action to mitigate the threats posed by contaminated soil at the Site.

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 located at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

The DFFOs and related documents are available for review at Ohio EPA's Southwest District Office by calling or e-mailing Joe Smindak, Site Coordinator, at (937) 285-6064 or [joe.smindak@epa.state.oh.us](mailto:joe.smindak@epa.state.oh.us), for an appointment.

**Date of Public Notice: January 4, 2008**

**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 the subject transportation project. The proposed project, MEG-124-56.02, PID 79807, consists of the relocation of SR 124 for approximately 6,900 linear feet in Olive Township, Meigs County, Ohio. Work associated with the proposed project would involve the permanent placement of fill material in unnamed tributaries to the Ohio River (HUC 05030202). The Ohio EPA ID Number for this project is SWIMS #073276.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would involve the permanent placement of fill material into 0.52 acres (5750 linear feet) of unnamed tributaries to the Ohio River. The applicant's proposed minimal degradation alternative, if approved, would involve the placement of fill material into 0.0345 acre (456 linear feet) of unnamed tributaries to the Ohio River. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands. The applicant is seeking authorization for the minimal degradation alternative.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality to streams and wetlands in the Upper Ohio-Shade watershed (HUC 05030202). 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 January 4, 2008, 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.

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 February 4, 2008. Comments received after this date may not be considered as part of the official record.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.