

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

Rules Governing  
Wastewater Connection Bans

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, 6111.04 and 6111.44 has adopted the following rules of the Ohio Administrative Code:

Rule Number	Rule Title	Action
3745-11-01	Definitions.	Amend
3745-11-02	Standard and special connection bans.	Amend
3745-11-03	Connection ban variances.	Amend

The Director's order of adoption was issued on April 28, 2008. These adopted rules will become effective on June 1, 2008. To request a copy of the rules, write to Mark Stump, Ohio Environmental Protection Agency, Division of Surface Water, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, OH 43216-1049 or call Mr. Stump at (614) 644-2028.

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 February 27, 2008. No comments were 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

**Division of Surface Water  
Credible Data (Volunteer Monitoring) Program  
Qualified Data Collector Trainer Approvals  
All Effective 4/28/08**

Name Organization	Training Level / Specialty	Expiration Date
John Kopec (#165) Ohio Lake Management Society	Level 1	NA
Carl Moore (#081) Ohio Lake Management Society	Level 2/ Chemical Water Quality Assessment (lakes)	3/5/13
Dr. Julie Hambrook Berkman (#065) Ohio Lake Management Society	Level 2/ Chemical Water Quality Assessment (lakes)	5/31/09

**PUBLIC NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
***Kin Properties (Harrisburg Pike Shopping Center)***

Notice is hereby given that on April 24, 2008, 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 Kin Properties for the property identified as the Harrisburg Pike Shopping Center property (the "Property").

Kin Properties conducted a voluntary action of the approximately 10.6-acre Property located at 610 – 690 Harrisburg Pike, Columbus, Franklin County, Ohio. A no further action letter was submitted on September 11, 2007 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Kin Properties by Bruce Savage, a Certified Professional (No. CP07NFA269), 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 236 East Town Street, Room 300, 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, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**RENEWAL OF CERTIFIED PROFESSIONAL CERTIFICATIONS UNDER OHIO'S**  
**VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on April 30, 2008, 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 a renewal of certification to the following Certified Professionals: **Eric V. Augustine, CP 255, Regina Cik, CP114, Michael T. Coonfare, CP298, Laura F. Funk, CP286, Terry L. Hair, CDP273, Albert J. Muller, CP237, David M. Peterson, CP297.** The issuance of the renewal 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. 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 Commission at 309 South Fourth St., Room 222, Columbus, Ohio 43215.

If you would like to review a copy of any renewal 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**  
**FINAL ACTIONS OF THE DIRECTOR**  
**ISSUANCE OF CERTIFICATES TO REPAIR FACILITIES UNDER**  
**THE MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code Chapter 3704.14 and Ohio Administrative Code rule 3745-26-15, has issued certificates to perform work as a Certified Repair Facility under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the facilities listed below. All certificates are issued 5/1/2008.

For information regarding these final actions, contact David Alspaugh, Ohio EPA, Division of Air Pollution Control, Mobile Sources Section, P.O. Box 1049, Columbus, Ohio 43216-1049, or by telephone at (614) 644-3059. These final actions of the Director were not preceded by proposed actions, and are appealable to the Environmental Review Appeals Commission within thirty (30) days after issuance of the Director's action, pursuant to section 3745.07 of the Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. Appeals must be sent to the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

COUNTY	SHOP NAME	CITY	STATE
CUYAHOGA	MAC'S MARATHON	CLEVELAND HTS	OH

PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE FOR  
**GERKEN MATERIALS, INC., Facility ID #0335940002**

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation of a 300 TPH screening operation permitted under Permit to Install (PTI) #03-16183 issued on 7/01/2004 to Gerken Materials, Inc. The air contaminant source is currently located at Township Road 105 and County Road 180 in Paulding, Ohio, and is authorized to move to 9000 Portland Road in Sylvania, Ohio upon the issuance of this notice.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission 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. It must be filed within thirty (30) days after the notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. 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

All inquiries concerning this action may be directed to the contact identified below:  
Mohammad Smidi, Ohio Environmental Protection Agency, 347 North Dunbridge Road, Bowling Green, Ohio 43402, telephone at (419) 373-3118.

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE FOR  
COMPLETE RESOURCES COMPANY #01-25-04-2081**

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation of portable crusher and associated equipment permitted under Permit To Install 01-3478 issued on January 2<sup>nd</sup>, 1992. The air contaminant source is currently located at Whitewater Reclamation at 4250 Hoover Road, Cleves, Ohio and is authorized to move to the Complete Resources company site located at 4200 Truro Station Road, Columbus, Ohio upon the issuance of this notice.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission 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. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. 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

All inquiries concerning this action may be directed to the contact identified below.  
Mike Riggelman (614) 728-3778 50 West Town Street Suite 700 Columbus, Ohio 43215

**PUBLIC NOTICE  
OHIO EPA ISSUES FINAL HAZARDOUS WASTE  
PERMIT TO  
METALLURG VANADIUM CORPORATION**

On May 2, 2008, Ohio EPA issued a final 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. To store the hazardous wastes, Metallurg needs a Permit. The final Permit contains the conditions under which the facility must operate. To issue this final 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. The final Permit allows Metallurg to store hazardous waste in the designated areas at the facility. Details about this final action can be viewed on Ohio EPA's website under Stakeholders Involvement at <http://web.epa.state.oh.us/dhwm/>

**Can I appeal this final 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 final Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

**If I decide to appeal this final Permit, how and when must I make the appeal?**

If you file an appeal, you must put it in writing no later than June 4, 2008. 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.

**PUBLIC NOTICE**  
**OHIO EPA AND U.S. EPA ISSUE DRAFT RENEWAL HAZARDOUS WASTE PERMIT**  
**AND CLASS 3 MODIFICATION TO PERMAFIX OF DAYTON, INC**

On April 30, 2008, Ohio EPA and US EPA issued a draft renewal Hazardous Waste Facility Installation and Operation Permit (Permit) and a Class 3 Permit Modification to PermaFix of Dayton, Inc.(Permafix) for its facility at 300 Cherokee Drive, Dayton, Ohio 45427. The EPA Identification Number for this facility is OHD004274031.

**Why does Permafix need a Permit and Modification?**

Permafix is permitted to store and conduct limited treatment activities, (i.e., fuels blending) of containerized hazardous waste. These waste management activities are conducted inside Building E at the facility. The draft renewal Permit and Class 3 Modification contain the conditions under which the facility must operate if the Permit receives final approval. To issue this draft Permit, Ohio EPA determined that the Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws.

The Class 3 Modification will allow the transfer of ownership and operation of the permitted facility to OGM, Ltd., dba Clean Water, Ltd. When issued, the modified Permit will allow Clean Water, Ltd to continue to store and conduct recognized treatment of hazardous waste in containers in Building E. It will also require Clean Water, Ltd to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility.

Some RCRA regulations have not been authorized in the state of Ohio, therefore US EPA must issue a permit to cover those regulations. Permafix's complete RCRA permit is comprised of both the US EPA and Ohio EPA permits.

**How can I tell Ohio EPA and US EPA what I think about this draft Permit?**

You can attend the public meeting and present your comments in person or submit written comments that are clear, concise, and well documented. Or, you are welcome to do both. Everyone who wants to comment at the public meeting will be allowed to speak. You should limit your presentation to five minutes and, if possible, submit a written copy of your comments to US EPA and Ohio EPA at the meeting.

**When and where will Ohio EPA and US EPA hold a Public Meeting?**

Ohio EPA and US EPA will hold a public meeting on June 10, 2008 at 6:30 p.m. It will be at the Jefferson Township Trustees Building, One Business Park Drive, Dayton, Ohio 45427.

### **When and how do I submit written comments?**

You can submit written comments anytime between May 1, 2008 and June 20, 2008. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us). You can submit written comments about the US EPA portion of the draft permit to U. S. EPA, Region 5, Mr. Jae Lee, RCRA Branch, 77 West Jackson Blvd., Chicago, Illinois 60604-3590, fax number (312) 353-4788, or email: [Lee.Jae@epa.gov](mailto:Lee.Jae@epa.gov).

### **Where can I review the Permit Application and draft renewal Permit?**

You can review these at one of the following locations:

**Dayton Metro Library**, Trotwood Branch, 651 East Main Street, Dayton, Ohio 45426 (937) 496-8958;

**Ohio EPA Southwest District Office**, 401 East 5<sup>th</sup> Street, Dayton, Ohio 45402 (937) 285-6357;

**Ohio EPA, Division of Hazardous Waste Management**, 50 West Town Street, Suite 700, Columbus, Ohio 43215, (614) 644-2917; and,

**United States Environmental Protection Agency**, 77 West Jackson Blvd, Chicago, Illinois 60604-3590. Call Jae Lee at (800) 621-8431 ext 6-3781 to make arrangements to view the documents. The U.S. EPA permit information can also be viewed at [www.epa.gov/reg5rcra/wptdiv/permits/index.html](http://www.epa.gov/reg5rcra/wptdiv/permits/index.html).

### **What will Ohio EPA and US EPA do with the comments?**

After carefully considering public comments, Ohio EPA and US EPA will reconsider the draft Permit, making any necessary changes, and issue or deny the final Permit. Ohio EPA and US 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 and US EPA will send you a copy of the "response to public comments" and the final permit decision.

PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCES FOR  
**Shelly Materials Portable Fold 'N Go 43.0284 #0664000125**

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation of Shelly Materials Portable Fold 'N Go 43.0284 and its associated support unit permitted under PTI #06-08328 issued on November 27, 2007. This air contaminant source is currently located at Stoneco Inc.'s Scott Quarry at 2364 Richie Road in Convoy, Ohio (Van Wert County), and is authorized to move to Stoneco Inc.'s White Rock Quarry located at 3800 Bolander Road in Clay Center, Ohio (Ottawa County) upon the issuance of this notice.

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, Ohio 43215

All inquiries concerning this action may be directed to the contact identified below.  
Kimbra Reinbold, Ohio EPA Southeast District Office, Division of Air Pollution Control, 2195 Front St., Logan, OH 43138. (740) 385-8501.