

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
City of Columbus
Whittier Peninsula Grange – Audubon Nature Center Property

Notice is hereby given that on June 19, 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 the city of Columbus for the property identified as the Whittier Peninsula Grange – Audubon Nature Center property.

The city of Columbus conducted a voluntary action of the approximately 26.611-acre property located at 420 – 460 West Whittier Street, Columbus, Franklin County, Ohio. A no further action (NFA) letter was submitted on November 20, 2007 and addenda to the NFA letter dated May 22, 2008 and June 4, 2008 were submitted to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of the city of Columbus by Thomas J. Mignery, a certified professional (No. CP 125), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC 3745.04. 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 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 it is demonstrated 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 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 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 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.

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
The city of Trotwood - the Former Salem Mall Property

Notice is hereby given that on June 23, 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 the city of Trotwood for the property identified as the Former Salem Mall property (the "Property").

The city of Trotwood conducted a voluntary action of the 19.822-acre Property located at 5200 Salem Ave, Trotwood, Montgomery County, Ohio. A no further action letter was submitted on March 12, 2008 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of the city of Trotwood by Mr. Dennis Schucker, a Certified Professional (No. CP272), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC 3745.04. 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 Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, OH 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.

PUBLIC NOTICE

The following permit is being issued on June 23, 2008 as a final action with an effective date of July 1, 2008. Final actions are actions of the Director which are effective upon issuance or a stated effective date. Pursuant to Ohio Revised Code Section 3745.04, a Final Action may be appealed to the Environmental Review Appeals Commission (ERAC) filing an appeal within 30 days of notice of the final action. 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 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 Appeals Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Final Issuance of NPDES General Permit:

General Permit Authorization to Discharge Wastewater from Select Household Sewage Treatment Systems (HSTS) Serving One, Two or Three Family Dwellings or Other Residential Dwellings as Defined by Ohio Administrative Code (OAC) 3701-29 under The National Pollutant Discharge Elimination System across the State of Ohio

Issue Date: June 23, 2008

Effective Date: July 1, 2008

Ohio NPDES General Permit Number OHL000001

This Final Action Was Not Preceded by a Proposed Action and Is Appealable to ERAC.

The full text of the permit can be viewed over the Internet at <http://www.epa.state.oh.us/dsw/permits/gpfact.html> or copies can be obtained by calling (614)644-2001.

Statewide

**Ohio Environmental Protection Agency
P U B L I C N O T I C E
Final Intended Use Plan and Management Plan
For the Drinking Water Assistance Fund
For Program Year 2009**

Public notice is hereby given that the Director of the Ohio Environmental Protection Agency issued a final action effective June 24, 2008, adopting the Intended Use Plan and the Management Plan for the Drinking Water Assistance Fund that has been 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 Final Intended Use Plan and Management Plan 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

Alternative Test Preparation and Analytical Methodology

Pursuant to OAC Rule 3745-27-46, notice is hereby given on June 23, 2008, that the director of Ohio EPA approves the use of U.S. EPA analytical method 6020 by Ohio EPA as an alternative method for the analysis of heavy metals listed in Table 1 of OAC Rule 3745-27-46 at the Tri State Garden Supply Class III Composting Facility (Facility) located in Archbold, Henry County, Ohio. The Registration Number is 35-C3R-0070. The owner or operator is Tri State Garden Supply, Inc., P.O. Box 184, Sandy Point Rd., Eau Claire, PA 16030. This authorization 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.

Date of Public Notice: June 21, 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. ODOT proposes improvements to the LAK-2-3.32 corridor to enhance safety and reduce congestion on State Route 2 in Lake County, Ohio for both local and through traffic. The proposed project includes the addition of a third lane from State Route 640 to State Route 44, the reconfiguration of seven interchanges, patching and waterproofing of concrete slab structures, replacing existing pipe culverts and box culverts, widening of existing I beam and three-span steel beam bridge, and constructing a new 37 foot wide three-span steel beam bridge. Fourteen streams and six jurisdictional wetlands will be affected by the proposed project. The streams and wetlands involved with the project are located within the Chagrin River watershed (HUC 04100009). The Huntington District of the U.S. Army Corps of Engineers Number for this project is 2006-2200-CHA. The Ohio EPA ID Number for this project is 083337.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would involve impacts to fourteen streams for a total of 5,141 linear feet and to eleven wetlands for a total of 4.55 acres. The applicant's proposed minimal degradation alternative, if approved, would involve impacts to fourteen streams for a total of 3,547 linear feet, and six wetlands, totalling 3.53 acres. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands but would not meet the purpose and need for the project. The applicant is seeking authorization under 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 the Chagrin River (HUC 04100009) drainage basin. 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 21, 2008 copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, 50 West Town Street, Suite 700, Columbus, Ohio, 43215 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, 50 West Town Street, Suite 700, Columbus, Ohio, 43215 by the close of business on July 21, 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.