

**State of Ohio  
Environmental Protection Agency  
Notice of Adoption of Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rules 3745-21-01 through 3745-21-04, 3745-21-06, 3745-21-08 through 3745-21-10, 3745-21-12 through 3745-21-16 and 3745-21-18 of the Administrative Code, and new rules 3745-21-19, 3745-21-20, and 3745-21-21 of the Administrative Code "VOC RACT and 5-Year Review Rules, Phase 1."

The rules specified above are intended to assist the state of Ohio in achieving and/or maintaining the national 8-hour ground level ozone standard through the regulation of volatile organic compound (VOC) emissions from stationary sources. VOC emissions are a precursor to ozone formation. These rules have had their applicability extended to include the Cleveland/Akron, Ohio non-attainment area in order to aid in the reduction of ozone formation.

A public hearing on the new rules was held on April 1, 2008 in Columbus, Ohio. After considering comments and oral testimony, the Director's order of adoption was issued on Friday, August 15, 2008. The effective date of these rules is Monday, August 25, 2008.

To request a copy of these rules, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding contact Mr. Alan Harness, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Alan Harness at (614) 644-4838. This rule is available on the Web page for electronic downloading by scrolling down to OAC Chapter 3745-21, "Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and related Materials Standards ". The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Ohio Revised Code Section 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 ERAC within thirty (30) days after notice of the Director's action, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215. Copies of the appeal must be served upon the Director of the Ohio EPA within three (3) days of filing with ERAC. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.

**Division of Surface Water  
Credible Data (Volunteer Monitoring) Program  
Qualified Date Collector Approvals (Renewals)  
All Effective 08/15/08**

<b>Name Organization</b>	<b>Level / Specialty</b>	<b>Expiration Date</b>
John Rhoades (#008) NEORS	Level 3 - Chemical Water Quality Assessment	8/14/2010
John Rhoades (#008) NEORS	Level 3 - Fish Community Biology & Habitat (QHEI)	8/14/2010
Cathy Zamborsky (#009) NEORS	Level 3 - Chemical Water Quality Assessment	8/14/2010
Cathy Zamborsky (#009) NEORS	Level 3 - Stream Habitat Assessment (QHEI)	8/14/2010
Seth Hothem (#010) NEORS	Level 3 - Chemical Water Quality Assessment	8/14/2010
Seth Hothem (#010) NEORS	Level 3 - Fish Community Biology & Habitat (QHEI)	8/14/2010
Kathryn Crestani (#011) NEORS	Level 3 - Chemical Water Quality Assessment	8/14/2010
Kathryn Crestani (#011) NEORS	Level 3 - Stream Habitat Assessment (QHEI)	8/14/2010
Tiffany Moore (#017) NEORS	Level 3 - Chemical Water Quality Assessment	8/14/2010
Tiffany Moore (#017) NEORS	Level 3 - Stream Habitat Assessment (QHEI)	8/14/2010
Tiffany Moore (#017) NEORS	Level 3 - Benthic Macroinvertebrate Biology	8/14/2010
Tom Zablodny (#018) NEORS	Level 3 - Chemical Water Quality Assessment	8/14/2010
Tom Zablodny (#018) NEORS	Level 3 - Fish Community Biology & Habitat (QHEI)	8/14/2010

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

Notice is hereby given that on August 20, 2008, 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 Laboratories, Inc. ("TestAmerica") of 4101 Shuffel Drive, NW, North Canton, Ohio, granting the laboratory's request to reinstate certification under Ohio's Voluntary Action Program for Cobalt and Manganese by method 6020 and Semi-Volatile Organic Compounds by method 8270C. The modified certificate reflects changes to the previous certificate issued to TestAmerica under the Voluntary Action Program, and reinstates certification for aforementioned analytes, parameter group and methods. The certification number assigned to TestAmerica remains CL0024.

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: August 19, 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 water quality certification for a project to clean zebra mussels from two water intake pipes, which draw water from Lake Erie into Plant C. The application was submitted by Ashtabula County Port Authority, 77 North Chestnut Street, Jefferson, Ohio. The project is located at 2715 Lake Road East, Ashtabula, Ashtabula County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 2007-1364. The Ohio EPA ID Number for this project is 083390.

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 temporarily decrease water quality by resuspending silt as it is removed from the pipes and placed back into Lake Erie. The applicant's proposed minimal degradation alternative, if approved, would impact Lake Erie through the construction and subsequent removal of a force main on the lake floor to carry the removed materials to shore. 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 19, 2008, 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 9, 2008 at 6:30 p.m. at Ashtabula Public Library, 335 West

44th Street, Ashtabula, 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 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 16, 2008. 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.

**Delaware, Fairfield, Franklin, Licking,  
Pickaway and Union Counties**

**Date of Public Notice: August 22, 2008**

**PUBLIC NOTICE  
PUBLIC HEARING FOR PROPOSED MODIFICATIONS TO NPDES PERMITS  
AND DRAFT PLAN APPROVAL**

Notice is hereby given that a public hearing has been scheduled for the draft plan approval for the Wet Weather Management Plan for the City of Columbus, and proposed modifications to National Pollutant Discharge Elimination System (NPDES) permits 4PF00000 and 4PF00001 for the discharges from the Jackson Pike Wastewater Treatment Plant located at 2104 Jackson Pike, Columbus, Franklin County, Ohio, and the Columbus Southerly Wastewater Treatment Plant located at 6977 South High Street, Lockbourne, Franklin County, Ohio, and points within their sewerage collection systems.

The public hearing is scheduled to begin at 6:00 p.m. on Tuesday, September 23, 2008 at the Columbus Library South High Branch, 3540 South High Street, Columbus, Ohio 43207. 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 proposed and draft actions. Persons wishing to 1) be on Ohio EPA's interested parties mailing list for the project, or 2) submit comments for Ohio EPA's consideration must do so in writing to Ohio EPA's Division of Surface Water, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216, by the close of business on September 30, 2008. Comments received after this date may not be considered as part of the official record.

Copies of the pending NPDES modification applications, proposed modified permits, draft plan approval and technical support information may be reviewed and/or copies made at Ohio EPA's Central District Office, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215, by first calling (614)728-3778 to make an appointment, or can be viewed at [http://www.epa.state.oh.us/dsw/cso/columbus\\_ltcp.html](http://www.epa.state.oh.us/dsw/cso/columbus_ltcp.html).

**Date of Public Notice: August 28, 2008**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF ISOLATED WETLANDS PERMIT APPLICATION  
(LEVEL 3)**

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, an Isolated Wetland Permit (Level 3) for a project to develop a commercial and residential development known as Northstar. The application was submitted by the Robert Weiler Company, 41 South High St, Suite 1010, Columbus, Ohio 43215. The project is located northeast of the intersection of I-71 and State Route 36/37 in Berkshire Township, Delaware County, Ohio. The Ohio EPA ID Number for this project is 083388.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 7.59 acres of wetland. The applicant's proposed minimal degradation alternative, if approved, would impact 6.39 acres of wetland. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on wetlands.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Little Walnut 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 August 28, 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, 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 CLASS 2 MODIFIED HAZARDOUS WASTE PERMIT**

On August 20, 2008, Ohio EPA issued a modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Envirosafe Services of Ohio, Inc. for its facility at 876 Otter Creek Road, Oregon, Ohio 43616. The EPA Identification Number for this facility is OHD045243706.

**Why is Envirosafe Services of Ohio, Inc. modifying its Permit?**

Envirosafe Services of Ohio, Inc. (Envirosafe) is permitted to operate a hazardous waste landfill and other related hazardous waste management units at its facility. Envirosafe wishes to discontinue the semi-annual analysis of the naturally occurring constituents sodium, chloride, and fluoride as early warning indicators of a potential release from regulated units. This final modified permit will allow Envirosafe to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification 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 **September 22, 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.