

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
City of Hamilton/ Former Hamilton Die Cast

Notice is hereby given that on October 27, 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 Hamilton for the property identified as the Former Hamilton Die Cast property (the "Property").

The city of Hamilton conducted a voluntary action of the 7.151-acre Property located at 999 East Avenue, Hamilton, Butler County, Ohio. A no further action letter was submitted on April 11, 2008 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of the city of Hamilton by Michael D. Weinstein, a Certified Professional (CP126), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

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.

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
OHIO ENVIRONMENTAL PROTECTION AGENCY
SUSPENSION OF PORTION OF LABORATORY CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM

Notice is hereby given that on October 30, 2008, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") 3745-300-04, issued Final Findings and Orders to Lancaster Laboratories, Inc. ("Lancaster") of 2425 New Holland Pike, Lancaster, Pennsylvania, that suspend the laboratory's certification under Ohio's Voluntary Action Program to perform analyses for Volatile Organic Compounds by method 8021B.

Lancaster has been issued a revised laboratory certificate which reflects the suspension. Lancaster may perform analyses only for those analytes, parameter groups, and methods identified in its revised certificate.

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.

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

Notice is hereby given that on October 30, 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 renewal of laboratory certification to Merit Laboratories, Inc. ("Merit") of 2680 East Lansing Drive, East Lansing, Michigan. The certification number assigned to Merit remains CL0002.

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.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
SUSPENSION OF PORTION OF LABORATORY CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM

Notice is hereby given that on October 30, 2008, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") 3745-300-04, issued Final Findings and Orders to Pace Analytical Services ("Pace") of 7726 Moller Road, Indianapolis, Indiana, that suspend the laboratory's certification under Ohio's Voluntary Action Program to perform analyses for Organochlorinated Pesticides by method 8081A.

Pace has been issued a revised laboratory certificate which reflects the suspension. Pace may perform analyses only for those analytes, parameter groups, and methods identified in its revised certificate.

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: October 30, 2008

**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 the construction of a shore-connected armor stone breakwater and steel-framed access tower with an elevated concrete platform.

The application was submitted by Brett A. Scully, 23104 Roberts Run, Bay Village, Ohio 44140. The project is located along the Lake Erie shoreline at 22744 Lake Road, Bay Village, Cuyahoga County, Ohio. The Buffalo District of the U.S. Army Corps of Engineers Public Notice for this project is 2008-00897. The Ohio EPA ID Number for this project is 083418.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed Preferred Alternative, if approved, would result in a total of 32 cy of concrete seawall blocks, 35 cy of concrete rubble and/or stone seawall backfill, and 195 cy of stone-filled steel crib pier to be placed below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade.

The applicant's proposed Minimal Degradation Alternative, if approved, would result in a total of 20 cy of concrete seawall blocks, 20 cy of concrete rubble and/or stone seawall backfill, and 190 cy of stone-filled steel crib pier to be placed below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade.

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. 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 October 30, 2008, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, 50 West Town Street Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available at the 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 December 17, 2008 at 5:30 p.m. at the Avon Lake Public Library, McMahon Room, 32649 Electric Boulevard, Avon Lake, Ohio, 44012. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

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.

Ohio EPA will continue to accept written comments on the application through the close of business on December 24, 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 request 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: October 30, 2008

**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 the construction of a concrete block seawall and stone-filled and stone-lined steel crib piers.

The application was submitted by Lisa Morelli Daniel, 26060 Stone Court, Westlake, Ohio 44145. The project is located along the Lake Erie shoreline at 17860 Lake Road, Lakewood, 44107, Cuyahoga County, Ohio. The Buffalo District of the U.S. Army Corps of Engineers Public Notice for this project is 2008—00734. The Ohio EPA ID Number for this project is 083375.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed Preferred Alternative, if approved, would result in a total of 1450 cy of large stones, 600 cy of stone-filled steel crib pier, 150 cy of concrete seawall blocks, and 860 cy of concrete rubble and/or stone seawall backfill to be placed below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade.

The applicant's proposed Minimal Degradation Alternative, if approved, would result in a total of 65 cy of large stones, 235 cy of stone-filled steel crib pier, 150 cy of concrete seawall blocks, and 860 cy of concrete rubble and/or stone seawall backfill to be placed below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade.

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. 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 October 30, 2008, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, 50 West Town Street Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available at the 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 December 17, 2008 at 5:30 p.m. at the Avon Lake Public Library, McMahon Room, 32649 Electric Boulevard, Avon Lake, Ohio, 44012. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

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.

Ohio EPA will continue to accept written comments on the application through the close of business on December 24, 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 request 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.

PUBLIC NOTICE

OHIO EPA RECEIVES AMENDED HAZARDOUS WASTE CLOSURE PLAN

On October 29, 2008, Ohio EPA received an amended hazardous waste closure plan from North East Chemical Corporation, for its former container and tank storage units located at 3301 Monroe Avenue, Cleveland, Ohio 44113. The EPA Identification Number for this facility is OHD980681571.

Why is North East Chemical Corporation Submitting this Amended Closure Plan?

At the request of Ohio EPA, North East Chemical Corporation submitted this amended closure plan. This closure plan consists of recleaning and resampling of the facility's process room floor, evaluation of the subsurface conditions in the vicinity of the underground emergency spill control tank, evaluation of subsurface conditions in the vicinity of drains and other conduits, establishment of background concentrations of metals and semi-volatile organic compounds in soils followed by a risk-based evaluation of the data collected, and completion of groundwater investigation.

When and how do I submit written comments about this Amended Closure Plan?

You can submit written comments anytime between November 3, 2008 and December 3, 2008. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail address: dhwmcomments@epa.state.oh.us.

Where can I review the Amended Closure Plan?

You can review the Closure Plan at the following locations:

Ohio EPA, Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087, tel: (330) 963-1200; and,

Ohio EPA, Division of Hazardous Waste Management, 50 West Town Street, Suite 700, Columbus, Ohio 43215; (614) 644-2977.

Date of Public Notice: October 30, 2008

**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 project to construct a two course block courtesy docking wall, 100 feet long by 10 feet wide, within the protected side of an existing stone breakwater/jetty, near the City of Avon's existing boat launch.

The application was submitted by the City of Avon Lake, c/o Mr. Joseph Reitz, Engineering Manager, 150 Avon Belden Road, Avon Lake, Ohio 44012. The project is located along the Lake Erie shoreline at the City of Avon Lake's public park and boat launch property at the intersection of Miller Road and Lake Road in Avon Lake, Ohio. The Ohio EPA ID Number for this project is 083426.

On October 1, 2008, the Buffalo District of the U.S. Army Corps of Engineers (ACOE) provided a Provisional Department of the Army Permit No. 2008-00842 for the Minimal Degradation Alternative for this project. The provisional ACOE permit states that no work can be performed on the project until a Section 401 Water Quality Certification (WQC) or waiver thereof, has been issued by the Ohio Environmental Protection Agency.

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 result in a total of 54 cubic yards (cy) of large concrete blocks and 9 cy of concrete rubble and/or stone docking wall backfill to be placed below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade.

The applicant's proposed Minimal Degradation Alternative, if approved, would result in a total of 45 cy of large concrete blocks and 7 cy of concrete rubble and/or stone docking wall backfill to be placed below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade.

The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands.

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 rule OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. All three proposed alternatives will be considered during the review process.

Starting October 30, 2008, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, 50 West Town Street, Columbus, Ohio by first calling (614) 644-2001. Applications can be made available upon request at the 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 December 17, 2008 at 6:30 p.m. at the Avon Public Library, McMahon Room, 32649 Electric Boulevard, Avon Lake, Ohio 44012. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

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.

Ohio EPA will continue to accept written comments on the application through the close of business on December 24, 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 request 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.