

**PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING**

**CLEVELAND HARBOR
(OUTER HARBOR AND CUYAHOGA RIVER CHANNELS)**

CUYAHOGA COUNTY, OHIO

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 U.S. Army Corps of Engineers (USACE) dredging project located in Cleveland Harbor. The application was submitted by the USACE, Buffalo District. The project is located within the limits of the Federal navigation channels in the Outer Harbor and Cuyahoga River. The USACE, Buffalo District Public Notice number for this project is 09-01. The Ohio EPA ID Number for this project is 083448.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, will be to dredge an estimated 675,000 cubic yards of material in 2009, with the disposal of the dredged material at the existing Cleveland Harbor confined disposal facility (CDF) No. 10B and/or 12 in the Cleveland Outer Harbor on Lake Erie. Approximately 500,000 and 175,000 cubic yards will be dredged during the spring and fall phases, respectively. The applicant's proposed minimal degradation alternative, if approved, will be to dredge an estimated 250,000 cubic yards of dredged material from the Federal navigation channels in 2009, with the disposal of the dredged material at the existing Cleveland Harbor CDF No. 10B and/or 12. Approximately 200,000 and 50,000 cubic yards will be dredged during the spring and fall phases, respectively. Dredging shall not occur during Lake Erie storm events. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Cleveland Harbor including the Outer Harbor and Cuyahoga River Channels. 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 3745-1-05 of the Antidegradation Rule apply or may be granted by the Director of Ohio EPA.

Starting December 15, 2008, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, 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 February 5, 2009 at 5:30 p.m. at Carnegie West Branch, Cleveland Public Library located at 1900 Fulton Road, Cleveland, OH 44113. 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 the Director of Ohio EPA prior to any further action on the application. 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 February 12, 2009. Comments received after this date may not be considered as part of the official record of the hearing.

Persons wishing to be on Ohio EPA's interested parties mailing list for this project, or wish to submit 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 by the close of business on February 12, 2009.

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

Notice is hereby given that on December 15, 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 laboratory certificate to Microbac Laboratories, Inc. ("Microbac") of 158 Starlite Drive, Marietta, Ohio, granting the laboratory's request to renew and reinstate its certification under Ohio's Voluntary Action Program. The certificate also reinstates Microbac's certification under the Voluntary Action Program for Organochlorinated Pesticide by method 8081A. The certification number assigned to Microbac remains CL0012.

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
FINAL ACTIONS OF THE DIRECTOR
ISSUANCE OF CERTIFICATES TO REPAIR TECHNICIANS 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 3745-26-16, has issued certificates to perform work as a Certified Repair Technician under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the repair technicians listed below. All certificates are issued 12/15/2008.

For information regarding these final actions, contact Michael Riggleman, 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.

FIRST	LAST	CITY	STATE
ANTHONY	DEBELAK	BRUNSWICK	OH
JOHN	BOWSER	EUCLID	OH
JOHN	PHILLIPS	GARFIELD HEIGHTS	OH
GEORGE	SMEE	PARMA	OH
DANIEL	ELBERT	PARMA	OH
FRANK	MCGROARTY	SAGAMORE HILLS	OH

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 12/15/2008.

For information regarding these final actions, contact Michael Riggleman, 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	BEDFORD AUTO CARE	Bedford	OH
CUYAHOGA	BOB ADAMS AUTOMOTIVE	BEDFORD	OH
CUYAHOGA	BROADVIEW-SCHAAF MARATHON	CLEVELAND	OH
CUYAHOGA	CENTRAL CADILLAC LIMITED	CLEVELAND	OH

PUBLIC NOTICE

**OHIO EPA ISSUES FINAL ENVIRONMENTAL COVENANTS TO
McWANE, INC.**

On December 3, 2008, Ohio EPA issued an Environmental Covenant to McWane Inc., (d.b.a. Clow Water Systems Company) for its facility located at 2266 South Six Street, Coshocton, Ohio 43812. McWane, Inc. is an unpermitted hazardous waste facility and has undergone closure activities. The EPA I.D. number for this facility is OHD004294849.

McWane, Inc. must achieve compliance with 5301.80 to 5301.92 of the Ohio Revised Code which restricts the use of its property to limited industrial activities as outlined in the covenants. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

PUBLIC NOTICE

**OHIO EPA ISSUES NOTICE OF TENTATIVE DECISION TO ISSUE A VARIANCE
FROM CLASSIFICATION AS A WASTE**

On December 16, 2008, pursuant to Ohio Administrative Code rule 3745-50-26, the director of Ohio Environmental Protection Agency (Ohio EPA) issued a draft notice tentatively granting a variance to Zinc and Iron Recycling of Ohio, Inc. (ZIRO), to be located at 7510 State Highway 109, Delta, Ohio 43515. If issued as a final variance, certain materials that ZIRO handles would not be wastes under Ohio's hazardous waste laws. The Agency is proposing to issue this variance because ZIRO recycles wastes, and uses and manages these materials more like products than wastes.

Why is ZIRO asking Ohio EPA to grant a Variance?

ZIRO will operate and maintain a metals recycling facility. The primary metals of interest to ZIRO are zinc and iron. ZIRO will accept air emissions control dust from primary steelmaking operations (EAF dust) that contain zinc and iron for recycling.

Once received, the company will recycle this EAF dust by concentrating the levels of zinc and iron using industrial furnaces to make three products - concentrated zinc product, pig iron and slag. The concentrated zinc product will be sent for further processing to produce a zinc product that is used in the rubber, alloy, steel, and battery making industries. The pig iron will be sold back to steelmaking operations and the slag will be used as an ingredient to make construction materials.

Without this variance, some of ZIRO's activities would be regulated as hazardous waste management activities and ZIRO would need a hazardous waste facility installation and operation permit. If issued, this variance will allow ZIRO to store and process the zinc and iron bearing EAF dust without obtaining a hazardous waste permit. The draft variance contains the conditions under which the facility must operate if the variance receives final approval. To issue this draft variance, Ohio EPA evaluated the variance application considering the factors in rule 3745-50-24 of the Ohio Administrative Code.

How can I tell Ohio EPA what I think about this Variance?

You can submit written comments anytime between December 18, 2008, and January 20, 2009. Send your comments to Ohio EPA, Lazarus Government Center, Division of Hazardous Waste Management, Attn: Regulatory and Information Services Section, 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. If you have

questions about the variance, please contact Karen Hale at (614) 644-2927 or karen.hale@epa.state.oh.us.

Where can I review the Variance application and draft Variance?

You can review these at one of the following locations after December 18, 2008:

Delta Public Library, 402 Main Street, Delta, Ohio 43515-1304, (419) 822-5310;

Ohio EPA, Northwest District Office, Division of Hazardous Waste Management, 347 North Dunbridge Road, Bowling Green, Ohio 43402; and,

Ohio EPA, Division of Hazardous Waste Management, 50 West Town Street, Lazarus Government Center, Suite 700, Columbus, Ohio 43215, (614) 644-2917.

What will Ohio EPA do with the comments?

After carefully considering public comments, Ohio EPA will reconsider the draft variance, making any necessary changes, and issue or deny the final variance. Ohio EPA will issue a "response to public comments," specifying any changes made to the draft variance. If you commented on the draft variance, Ohio EPA will send you copies of the "response to public comments" and the director's final action on the variance.

PUBLIC NOTICE

OHIO EPA RECEIVES NEW HAZARDOUS WASTE CLOSURE PLAN

On November 14, 2008, Ohio EPA received a new hazardous waste closure plan from Seneca Wire and Manufacturing Company (Seneca Wire) for its waste pile unit located at 319 South Vine Street, Fostoria, Ohio 44830. The EPA Identification Number for this facility is OHD004177374.

Why is Seneca Wire submitting this Closure Plan?

At the request of Ohio EPA, Seneca Wire submitted this new closure plan. This plan was prepared to address those activities already completed and those proposed to close a former temporary hazardous waste pile consisting of firebrick. Further, the plan identifies additional closure activities to be completed, including but not limited to: a list of hazardous waste; management of waste; air emissions and waste water; decontamination efforts; the closure schedule; and personnel health and safety.

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

You can submit written comments anytime between December 18, 2008, and January 17, 2009. 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 New Closure Plan?

You can review the New Closure Plan at the following locations:

Ohio EPA, Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402, tel: (419) 352-8461, and;

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

PUBLIC NOTICE

OHIO EPA ISSUES FINAL CLASS 3 HAZARDOUS WASTE PERMIT MODIFICATION

On December 11, 2008, Ohio EPA issued a final Class 3 hazardous waste facility installation and operation permit (Permit) modification to U.S. DOE Mound Closure Project (DOE Mound) for its facility at 955 Mound Road, Miamisburg, Ohio 45342. The EPA Identification Number for this facility is OH6890008984.

Why is DOE Mound Modifying its Permit?

The DOE Mound hazardous waste permit is currently required to serve as the legal mechanism available to Ohio EPA for ensuring that all Corrective Action obligations are being addressed. DOE Mound is changing the operator name from CH2M Hill to U.S. Department of Energy. To issue this final Permit modification, Ohio EPA determined that the Permit application is complete and meets appropriate standards. The Permit modification will allow DOE Mound to make the requested changes, and to continue to investigate and cleanup any contamination of hazardous waste in the designated areas, or constituents that may be at the facility.

Can I appeal these final Permit modifications?

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 these Permit decisions to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal these final Permit modifications, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than January 14, 2009. 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.

Date of Public Notice: December 22, 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 a project to conduct surface mining activities to recover the No. 9 coal. The application was submitted by Oxford Mining Company, LLC, 544 Chestnut Street, P.O. Box 427, Coshocton, Ohio 43812. The project is located in Sections 5 and 11 of Beaver Township, Noble County, Ohio. ODNR, Division of Mineral Resources Management permit number for this project is D-2290-1. The Ohio EPA ID Number for this project is 083436.

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 impacts to approximately 4,178 feet of streams, and 0.17 acres of wetland. The applicant's proposed minimal degradation alternative, if approved, would result in impacts to approximately 3,287 feet of streams, and 0.17 acres of wetland. 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 unnamed tributaries to Beaver Creek. 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 December 22, 2008, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center,

50 W. Town St., 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.

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.