

## **PUBLIC NOTICE**

### **FINAL ISSUANCE OF AN AMENDED CERTIFICATE OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE**

Notice is hereby given that on June 22, 2009; the director of Ohio EPA issued an amended infectious waste transporter certificate to Daniels Sharpsmart Inc, 150 N Michigan Ave Ste 2800, Chicago, IL 60601, Reg. No. 00-T-00278. Persons wishing to be notified of further actions or proceedings 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. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215.

## **PUBLIC NOTICE**

### **FINAL ISSUANCE OF AMENDED CERTIFICATE OF REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE**

Notice is hereby given that on June 22, 2009, the director of Ohio EPA issued an amended infectious waste generator certificate to CSL Plasma Inc, 5201 Congress Ave Ste 220, Boca Raton FL 33487, Reg. No.: 00-G-01406. Persons wishing to be notified of further actions or proceedings 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. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215.

**State of Ohio**  
**Environmental Protection Agency**

**PUBLIC NOTICE**

June 23, 2009

**Notice of Proposed Rule-making and Public Hearing**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) is proposing revisions to Chapter 3745-89 of the Ohio Administrative Code (OAC), which sets forth the requirements for laboratory certification. The proposed amendments are, in part, a result of the five year rule review requirements of Section 119.032 of the Revised Code.

The division is proposing amendments to two laboratory certification rules. Proposed revisions to OAC rule 3745-89-06 will allow the division to deny, suspend or revoke an analyst's laboratory certificate if their operator certificate is suspended or revoked for reasons other than falsification, and will require revocation of an analyst's laboratory certificate if their operator certificate is suspended or revoked for falsification. Proposed revisions to OAC rule 3745-89-08 will require certified laboratories to report data electronically and submit lead and copper data on individual sample reports beginning July 1, 2010.

As part of the rule-making process, the Agency is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rules. The Agency is offering you and your organization the opportunity to comment on these rules before the division adopts them.

A public hearing pursuant to §119.03 of the Ohio Revised Code will be conducted on July 28, 2009, beginning at 10:00 a.m. in Conference Room C at the Ohio EPA, Lazarus Government Center, 50 West Town Street, Columbus, Ohio. All interested persons are entitled to attend or be represented and give their written or oral comments on this proposed rule-making. A presiding officer will be present until all interested persons have been heard.

To facilitate scheduling of oral presentations, persons intending to give testimony at the hearing should ensure that Ohio EPA receives notice of such intent by 5:00 p.m. on July 27, 2009. Persons who provide Ohio EPA with prior notice will be heard ahead of persons who register at the hearing. **All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.** To provide notice of intent to give oral comments at the public hearing,

contact Holly Kaloz by mail at Ohio EPA, DDAGW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215, or by phone at (614) 644-2752.

In order to ensure that written comments are considered as part of the official record of this hearing, written comments must be received by Ohio EPA by the close of business July 28, 2009. Written comments on the proposed rules may be given to the presiding officer during the hearing, sent by mail to Holly Kaloz at the address above, or sent by email to the following address [ddagw\\_rulecomments@epa.state.oh.us](mailto:ddagw_rulecomments@epa.state.oh.us).

To obtain a copy of the proposed rules, contact Susie Bodnar at Ohio EPA at (614) 644-3386 or email at [susie.bodnar@epa.state.oh.us](mailto:susie.bodnar@epa.state.oh.us). Please request the "proposed laboratory certification rules" and, if a recorded message is left, be sure to include your name, telephone number, and complete mailing address. There is no charge for proposed rules. The proposed rules will be available on the Agency web page until their adoption or withdrawal. The address is: <http://www.epa.state.oh.us/ddagw/oac.html>.

Questions concerning this proposed rule-making, other than obtaining copies of the proposed rules, may be addressed to Holly Kaloz at Ohio EPA, DDAGW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215 or by phone at (614) 644-2752. Email can be sent to [holly.kaloz@epa.state.oh.us](mailto:holly.kaloz@epa.state.oh.us).

Public Notice Date: June 25, 2009

OHIO ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC NOTICE  
**SWAN CREEK WATERSHED**  
**TOTAL MAXIMUM DAILY LOAD REPORT**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) is providing for public review and comment the Swan Creek Watershed Total Maximum Daily Load Report (TMDL) Document. Ohio EPA developed the Document in fulfillment of Section 303(d) of the Clean Water Act, which requires the identification of impaired waterbodies for which technology based effluent limitations are not stringent enough to achieve applicable water quality standards and to develop Total Maximum Daily Loads for such waters. The Document addresses impairments in the Swan Creek watershed that appear on the Ohio 2008 303(d) list (assessment units 04100009 070 and 080). The impaired waters are located in the Counties of Fulton, Henry and Lucas.

All interested persons wishing to submit comments for Ohio EPA's consideration may do so in writing to Ohio EPA Northwest District Office, Division of Surface Water, 347 N. Dunbridge Rd., Bowling Green, Ohio, 43402, Attn: Katie McKibben, or by email to [katie.mckibben@epa.state.oh.us](mailto:katie.mckibben@epa.state.oh.us) by the close of business, July 27, 2009. Comments received after this date may be considered as time and circumstances permit. After consideration of comments, Ohio EPA will submit the Document to the United States Environmental Protection Agency (U.S. EPA) for approval.

To obtain a copy of the Document or other information, or to arrange to inspect Agency files or records pertaining to the Document, or to request notice of when Ohio EPA submits the Document to U.S. EPA, please contact Katie McKibben at the address above or by calling 1-800-686-6930. The Document will be posted (on or before June 25, 2009) to the Ohio EPA Division of Surface Water Web site <http://www.epa.state.oh.us/dsw/index.html>.

Public Notice Date: July 2, 2009

OHIO ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC NOTICE  
**YELLOW CREEK WATERSHED**  
**TOTAL MAXIMUM DAILY LOAD REPORT**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) is providing for public review and comment the Yellow Creek Watershed Total Maximum Daily Load Report (TMDL) Document. Ohio EPA developed the Document in fulfillment of Section 303(d) of the Clean Water Act, which requires the identification of impaired waterbodies for which technology based effluent limitations are not stringent enough to achieve applicable water quality standards and to develop Total Maximum Daily Loads for such waters. The Document addresses impairments in the Yellow Creek watershed that appear on the Ohio 2008 303(d) list (assessment units 05030101 180, 190, and 100). The impaired waters are located in the Counties of Jefferson, Columbiana, and Carroll.

All interested persons wishing to submit comments for Ohio EPA's consideration may do so in writing to Ohio EPA, Southeast District Office, 2195 Front St., Logan, Ohio, 43138, Attn: Joann Montgomery, or by email to [joann.montgomery@epa.state.oh.us](mailto:joann.montgomery@epa.state.oh.us) by the close of business, August 3, 2009. Comments received after this date may be considered as time and circumstances permit. After consideration of comments, Ohio EPA will submit the Document to the United States Environmental Protection Agency (U.S. EPA) for approval.

To obtain a copy of the Document or other information, or to arrange to inspect Agency files or records pertaining to the Document, or to request notice of when Ohio EPA submits the Document to U.S. EPA, please contact Joann Montgomery at the address above or by calling 1-800-686-7330. The Document will be posted (on or before July 2, 2009) to the Ohio EPA Division of Surface Water Web site <http://www.epa.state.oh.us/dsw/index.html>.

Public Notice Date: July 2, 2009

OHIO ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC NOTICE  
**HOCKING RIVER WATERSHED**  
**TOTAL MAXIMUM DAILY LOAD REPORT**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) is providing for public review and comment the Hocking River Watershed Total Maximum Daily Load Report (TMDL) Document. Ohio EPA developed the Document in fulfillment of Section 303(d) of the Clean Water Act, which requires the identification of impaired waterbodies for which technology based effluent limitations are not stringent enough to achieve applicable water quality standards and to develop Total Maximum Daily Loads for such waters. The Document addresses impairments in the Hocking River watershed that appear on the Ohio 2008 303(d) list (assessment units 05030204 010, 020, 030, 040, 050, 080, 090, & 100). The impaired waters are located in the Counties of Fairfield, Perry, Hocking, Athens, Morgan, Washington, and Meigs.

All interested persons wishing to submit comments for Ohio EPA's consideration may do so in writing to Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049, Attn: Gregg Sablak, or by email to [gregg.sablak@epa.state.oh.us](mailto:gregg.sablak@epa.state.oh.us) by the close of business, August 3, 2009. Comments received after this date may be considered as time and circumstances permit. After consideration of comments, Ohio EPA will submit the Document to the United States Environmental Protection Agency (U.S. EPA) for approval.

To obtain a copy of the Document or other information, or to arrange to inspect Agency files or records pertaining to the Document, or to request notice of when Ohio EPA submits the Document to U.S. EPA, please contact Gregg Sablak at the address above or by calling 1-614-644-2001. The Document will be posted (on or before July 2, 2009) to the Ohio EPA Division of Surface Water Web site <http://www.epa.state.oh.us/dsw/index.html>.

**PUBLIC NOTICE**

**OHIO EPA ISSUES EMERGENCY PERMIT TO  
LIMA REFINING COMPANY**

On June 23, 2009, Ohio EPA issued an emergency permit to the Lima Refining Company to divert and temporarily store storm waters and process waters from open sewers (into D-Pond and C-Pond) located at their facility on 1150 S. Metcalf Street, in Lima, Ohio. This storage is required due to damages that occurred to G-Tank in December 2007. G-Tank is currently out of service and will be replaced or repaired at which time the storm waters and process waters will no longer be stored in D-Pond and G-Pond. The emergency permit I.D. number assigned to this action is 03-02-1028E. The expiration for this permit is September 17, 2009.

This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Date of Public Notice: June 24, 2009**

**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 applications for, and has begun to consider whether to issue or deny, Clean Water Act Section 401 certifications for a project to rehabilitate 13 linear feet of armor stone revetment, construct an additional 486 linear feet armor stone revetment and a 12 by 60 foot concrete slab public access viewing area. The applications were submitted by the City of Lakewood, 12650 Detroit Avenue., Lakewood, Ohio 44107 and the Sisters of Charity of Saint Augustine, 5232 Broadview Road, Richfield, Ohio 44186. The project is located approximately 2 miles east of the Rocky River and on the west side of Lakewood Park at 14532 & 14808 Lake Avenue, Lakewood, Ohio 44107. The Buffalo District of the U.S. Army Corps of Engineers project numbers are 2005-00581 & 2008-01409. The Ohio EPA ID Numbers for the projects are 093508 & 093509.

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 construct 486 linear feet of new armor stone revetment and a 12 by 60 foot concrete slab public access viewing area, along the shoreline of the two properties. Approximately 390 square feet (SF) of new lake bottom would be filled (with approximately 1,820 cubic yards CY of fill) below the ordinary high water mark (OHWM). The applicant's proposed minimal degradation alternative, if approved, would construct 486 linear feet of new armor stone revetment and a 12 by 60 foot concrete slab public access viewing area, along the shoreline of the two properties, 5 feet closer to the existing slope face. Approximately 300 SF of new lake bottom would be filled (with approximately 1,600 CY of fill) below the OHWM. 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 of the application and decide whether to grant or deny the application 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. All three proposed alternatives will be considered

by Ohio EPA during the review process. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting June 24, 2009, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio by first calling (614) 644-2001. Copies of the application and technical support information can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information and public hearing relative to issues of lower water quality at 6:30 P.M. on Wednesday, August 12, 2009 at the Lakewood City Hall, 12650 Detroit Ave., Lakewood, Ohio 44107. 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.

Ohio EPA will continue to accept written comments on the application through the close of business on August 19, 2009. 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.

**Date of Public Notice: June 24, 2009**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATIONS**

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 relocation of Meyer Ditch and placement of a culvert within Farnsworth Ditch for the purpose of commercial, retail and residential development. The application was submitted by The Moses-Schlachter Group, 2780 Centennial Road, Toledo, Ohio 43617. The project is located along the north side of Waterville Swanton Road at the Meyer Ditch (Parcels 96-61242, 96-56039 and 96-56036), Waterville Township, Lucas County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 2005-02610. The Ohio EPA SWIMS ID Number for this project is 083449.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would involve relocating approximately 3,967 linear feet of Meyer Ditch, creating approximately 4,318 linear feet of relocated Meyer Ditch and impacting 115 linear feet of Farnsworth Ditch with a culvert. The applicant's proposed minimal degradation alternative, if approved, would involve the relocation of approximately 1,030 linear feet of Meyer Ditch, creating 1,675 linear feet, installing three culverts in the relocated ditch and 115 linear feet of Farnsworth Ditch with a culvert. The applicant's proposed non-degradation alternative, if approved, would have no impacts on waters of the state.

Work that has occurred to date includes the placement of a temporary culvert (37 lf x 36 inch diameter) within Farnsworth Ditch on November 6, 2008 and the construction of a stormwater pond that affected approximately 138 lf of Meyer Ditch on December 20-24, 2008.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Meyer Ditch and Farnsworth Ditch. 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 June 24, 2009, 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 FINAL APPROVAL TO PETITION TO END  
POST/CLOSURE CARE**

On June 23, 2009, Ohio EPA approved to end the requirements for post-closure care for Fort Recovery Industries, Inc. for its surface impoundment units located at 2440 State Route 49, Fort Recovery, Ohio 45846. The EPA Identification Number for this facility is OHD005046149.

Pursuant to Ohio Administrative Code rule 3745-66-18(G)(1)(a)(i), the facility's petition to end post closure care submitted on September 17, 2008 was approved as outlined in the Director's June 23, 2009, correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.