

## **PUBLIC NOTICE**

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

Notice is hereby given that on June 29, 2009, the director of Ohio EPA issued an amended infectious waste generator certificate to The Little Clinic of Ohio LLC, 8 Cadillac Dr Ste 250, Brentwood, TN 37027, Reg. No.: 00-G-01474. 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 AN AMENDED CERTIFICATE OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE**

Notice is hereby given that on June 29, 2009, the director of Ohio EPA issued an amended infectious waste transporter certificate to Stericycle, Inc., 28161 N Keith Dr., Lake Forest, IL 60045, Reg. No. 00-T-00199. 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 RENEWAL CERTIFICATE OF REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE**

Notice is hereby given that on June 30, 2009; the director of Ohio EPA issued an infectious waste generator certificate to Bio Medical Applications of Ohio Inc, 10585 N Meridian St Ste 160, Indianapolis, IN 43290, Reg. No.: 00-G-00986. 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 RENEWAL CERTIFICATE OF REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE**

Notice is hereby given that on June 30, 2009, the director of Ohio EPA issued an infectious waste generator certificate to VA Ann Arbor Healthcare System, 2215 Fuller Rd, Ann Arbor, MI 48105, Reg. No.: 00-G-00411. 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.

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice  
Proposed Rulemaking Governing  
Storm Water Program**

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 6111.041 of the Ohio Revised Code and in accordance with Chapter 119 of the Revised Code, proposes to adopt amendments to the following rules of the Ohio Administrative Code:

<b>Rule #</b>	<b>Rule Title</b>	<b>Action</b>
3745-39-01	Applicability of rules of procedure and definitions.	Amend
3745-39-02	Objectives of the Ohio EPA storm water management program for small MS4s.	Amend
3745-39-03	Ohio EPA NPDES requirements for small MS4s.	Amend

Chapter 3745-39 of the Administrative Code addresses permitting requirements for storm water discharges from construction sites, certain industries, and urban areas. The first three rules in OAC Chapter 3745-39 contain the regulations for small municipal separate storm sewer systems or small MS4s.

The amended rules include updated citations, grammatical edits and formatting revisions, and clarify the exclusion for fire fighting activities in rule 3745-39-03 to reflect existing practice.

The public comment period will run until **5:00 p.m. on August 4, 2009**. A public hearing on these proposed rule amendments will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held in **Conference Room B at the Ohio EPA Central Office, 50 West Town Street, Suite 700, Columbus, Ohio at 2:00 p.m. on August 4, 2009**.

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 facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons

testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rules.

Written testimony should be sent to the attention of Anthony Robinson at the Ohio EPA Division of Surface Water, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by **5:00 p.m. on August 4, 2009**, will be considered by Ohio EPA prior to final action on this rulemaking. Written comments submitted after this date may be considered as time and circumstances permit.

For questions regarding this rule package or to receive a copy of the proposed rules, please contact Anthony Robinson, Division of Surface Water, at (614) 728-3392 or by email at [anthony.robinson@epa.state.oh.us](mailto:anthony.robinson@epa.state.oh.us). In addition, the proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on the DSW Web site at [www.epa.state.oh.us/dsw](http://www.epa.state.oh.us/dsw) and the Register of Ohio Web site at [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us).

**Public Notice**  
**US DOE Fernald Site – Natural Resource Funds Use Plan**

The Ohio Environmental Protection Agency and the United States Department of Energy (Fernald Natural Resource Trustees) will hold a community meeting on Thursday, July 8, 2009, to discuss the draft Natural Resource Funds Use Plan for the Fernald site. The meeting will be held in the Fernald Preserve Visitors' Center, 7400 Wiley Road, Hamilton at 6:30 p.m.

A consent decree regarding natural resource damages at the Fernald site was finalized on November 11, 2008. The consent decree requires payment of \$13.75 million to Ohio by the United States to restore, replace, or acquire the equivalent of injured natural resources at and in the vicinity of the Site, and to reimburse certain Ohio NRD assessment costs. Prior to this settlement, DOE spent \$14 million to restore soil and surface water resources and conducted a \$4.4 billion site cleanup.

It is the trustees' responsibility to consider projects that will restore, replace or acquire the equivalent of damaged natural resources in the area around Fernald. The meeting is part of the trustees' efforts to meet with local government, non-government organizations and stakeholder groups to discuss restoration goals for the \$13.75 million settlement.

The trustees will accept comments on the draft plan at the meeting, by telephone and in writing. Copies of the Natural Resource Funds Use Plan can be obtained from Ohio by visiting Ohio EPA's web site <http://offo2.epa.state.oh.us/FernaldSettlement.htm> or by calling Tom Schneider, Ohio EPA, Southwest District Office at (937) 285-6466, by email at [tom.schneider@epa.state.oh.us](mailto:tom.schneider@epa.state.oh.us), or by writing to:

Tom Schneider  
Ohio EPA Southwest District Office  
401 East Fifth Street  
Dayton, Ohio 45402-2911

Written comments should be submitted to Ohio at the above address. Written comments should be submitted on or before August 8, 2009.

**PUBLIC NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**

**Appalachia Wood, Inc., and the Vinton County Commissioners McArthur**  
**Lumber & Post Property**

Notice is hereby given that on June 30, 2009, 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 Appalachia Wood, Inc., and the Vinton County Commissioners for the property identified as the McArthur Lumber & Post Property (the "Property").

Appalachia Wood, Inc., and the Vinton County Commissioners conducted a voluntary action of the approximately 27.9173-acre Property located at 31310 State Route 93, McArthur, Vinton County, Ohio. A no further action letter was submitted on August 29, 2008 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Appalachia Wood, Inc., and the Vinton County Commissioners by Atul Pandey, a Certified Professional (No. CP-224), 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 (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, 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**

### **OHIO ENVIRONMENTAL PROTECTION AGENCY**

#### **DRAFT STATE SOLID WASTE MANAGEMENT PLAN**

Notice is hereby given that on July 6, 2009, the Ohio Environmental Protection Agency (Ohio EPA) issued a draft State Solid Waste Management Plan (State Plan) and is seeking public comment in accordance with Section 3734.50 of the Ohio Revised Code (ORC).

ORC 3734.50 specifies that the State Plan should: reduce reliance on landfills for the management of solid waste; establish objectives for solid waste reduction and recycling; establish restrictions on the types of solid waste that can be disposed in landfills; establish general criteria for the location of landfills; examine alternate methods for the disposal of municipal solid waste incinerator ash; establish a statewide strategy for managing scrap tires; establish a strategy to promote markets for products containing recycled materials, and; establish a program for the proper management of household hazardous waste.

A public comment period has been established that will run until August 4, 2009. In addition, five public hearings will be held to consider public comments. These hearings will be held on the following dates at the following locations:

Tuesday, July 21 at Ohio EPA's Northwest District Office, Conference Room A, 347 North Dunbridge Rd., Bowling Green, (419) 352-8461.

Wednesday, July 22 at Ohio EPA's Central Office, Conference Room C, 122 S. Front Street, Columbus (614) 644-3020.

Thursday, July 23 , at Ohio EPA's Southwest District Office, Conference Room 4A, 401 E. Fifth St., Dayton (937) 285-6357.

Wednesday, July 29 at Ohio EPA's Northeast District Office, 2110 E. Aurora Rd., Twinsburg, (330) 963-1200.

Thursday, July 30 at Ohio EPA's Southeast District Office, Room 104B, 2195 Front St., Logan (740) 385-8501.

All public hearings will begin at 2:00 p.m. To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify Ohio EPA's Public Interest Center, either in writing at P.O. Box 1049, Columbus, Ohio 43215-1049, or by telephone at (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons

testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments.

Written testimony should be sent to the attention of Ernie Stall at Ohio EPA's Division of Solid and Infectious Waste Management (DSIWM), P.O. Box 1049, Columbus Ohio 43215-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on August 4, 2009 will be considered by Ohio EPA prior to adopting the final State Plan. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding the State Plan should be directed to Ernie Stall, at the Division of Solid and Infectious Waste Management, at (614) 728-5356.

To receive a copy of the draft State Plan, please contact the DSIWM receptionist at Ohio EPA's central office at (614) 644-2621. In addition, a copy is available for review at each of Ohio EPA's district offices and at Ohio EPA's central office. The draft State Plan is also accessible on DSIWM's web page at <http://www.epa.state.oh.us/dsiwm/pages/stateplan.html>.

**Division of Surface Water  
Credible Data (Volunteer Monitoring) Program  
Qualified Data Collector Approvals  
All Effective 06/17/09**

<b>Name Organization</b>	<b>Level / Specialty</b>	<b>Expiration Date</b>
Paul Grimes (#326) Delaware Career Center	Level 1	NA
Vanessa Weaver (#327) Delaware Career Center	Level 1	NA
David Hursey (#328) Delaware Career Center	Level 1	NA
Cyle Pool (#329) Delaware Career Center	Level 1	NA
Leah Moore (#330) Delaware Career Center	Level 1	NA
Sarah Thomas (#331) Delaware Career Center	Level 1	NA
Alex Carter (#332) Delaware Career Center	Level 1	NA
Katie Hodge (#333) Delaware Career Center	Level 1	NA
Taylor Luke (#334) Delaware Career Center	Level 1	NA
Brad Thompson (#335) Delaware Career Center	Level 1	NA
Andrew Terry (#336) Delaware Career Center	Level 1	NA
Ben Brittsan (#337) Delaware Career Center	Level 1	NA
Aaron Steck (#338) Delaware Career Center	Level 1	NA

Kyle Ficke (#307) Hocking College	Level 1	NA
Edward Entsminger (#308) Hocking College	Level 1	NA
Keri Engelhart (# 309) Hocking College	Level 1	NA
Collin Brill (#310) Hocking College	Level 1	NA
Brian McCormick (#311) Hocking College	Level 1	NA
Ronald Cass (#312) Hocking College	Level 1	NA
Deidre Smithberger (#313) Hocking College	Level 1	NA
Scott Lucas (#314) Hocking College	Level 1	NA
Glenn Maendel (#315) Hocking College	Level 1	NA
Erin Douglass (#316) Hocking College	Level 1	NA
Joseph May (#317) Hocking College	Level 1	NA
Rebecca Wood (#318) Hocking College	Level 1	NA
Jacylin Haynal (#319) Hocking College	Level 1	NA
Dawn Oriard (#320) Hocking College	Level 1	NA
Eric VonAlmen (#321) Hocking College	Level 1	NA
Robert Button (#322) Hocking College	Level 1	NA
Michael Forman (#323) Hocking College	Level 1	NA

Victoria McBean (#324) Hocking College	Level 1	NA
Jennifer Russell (#325) Hocking College	Level 1	NA

**Division of Surface Water  
Credible Data (Volunteer Monitoring) Program  
Qualified Data Collector Approvals  
All Effective 06/19/09**

John McManus (#079) Clermont County Storm Water Dept.	Level 3 – Chemical Water Quality Assessment	6/18/2011
Daniel Gernant (#304) Malcolm Pirnie, Inc.	Level 3 – Chemical Water Quality Assessment	6/18/2011
Chad Kettlewell (#305) Malcolm Pirnie, Inc.	Level 2 – Stream Habitat Assessment (QHEI)	6/18/2014
Darrin Petko (#306) Stark County Park District	Level 2 – Stream Habitat Assessment (QHEI)	6/18/2014
Laura Fay (#339) Friends of the Lower Olentangy	Level 2 – Stream Habitat Assessment (HHEI)	6/18/2014

**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 7/1/2009.

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
DALE	FLEMING	BEDFORD	OH
JAMES	TODDY	BROOK PARK	OH
NICK	CAMPOMIZZI	HINCKLEY	OH
RICHARD	WESTLAKE	MAYFIELD HEIGHTS	OH
BRIAN	MANN	PARMA	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 7/1/2009.

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
LAKE	ESS AUTOMOTIVE	MENTOR	OH
Medina	HARBS AUTO SERVICE	BRUNSWICK	OH

**PUBLIC NOTICE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**RENEWAL OF CERTIFIED PROFESSIONAL CERTIFICATIONS UNDER OHIO'S**  
**VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on July 1, 2009, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued a renewal of certification to the following Certified Professionals: **Julianne M. Schucker CP258, Thomas P. Clark CP210, Michael J. Luessen CP267, and Stephan W. Ryder CP317.**

The issuance of the renewal certification is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). 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 or issuance of the action. See ORC 3745.04 and 3745.07. 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 309 South Fourth St., Room 222, Columbus, Ohio 43215.

If you would like to review a copy of any renewal certificate, or any documents related to the certification, please contact Debi Tavizon, Records Management Officer, at 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.

Statewide

**PUBLIC NOTICE**  
**OHIO EPA ISSUES NEW POLICY – BURNING USED OIL IN A SPACE HEATER –**  
**FOR BUSINESSES**

On July 1, 2009, DHWM issued a new guidance document called *Burning Used Oil in a Space Heater – For Businesses*. DHWM created this document as a quick guide for businesses that collect used oil to burn in space heaters. It discusses such topics as restrictions on space heater designs; when used oil can be burned in a space heater; the used oil specification; when it is acceptable to burn used oil mixed with hazardous waste; and suggestions for testing the constituents in used oil.

The guidance document is available on DHWM's web page at: <http://www.epa.state.oh.us/dhwm/pdf/UsedOilSpaceHeaterBusiness.pdf>. Hard copy versions may also be obtained by contacting DHWM at (614) 644-2917.

**Public Notice**  
**Ohio Environmental Protection Agency**  
**Ohio Air Monitoring Network 2009-2010**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, (Ohio EPA) required by 40 CFR 58.10 is making its Air Monitoring Network 2009-2010 plans for ambient air monitoring available for a 30-day public comment period. The plans include, as a separate item, the new required plan for a monitoring network based upon the revised National Ambient Air Quality Standard for airborne lead. The new standard for lead of 0.15 micrograms per cubic meter of air as a rolling 3-month average requires a revised lead monitoring network to begin sampling January 1, 2010. All plans for the monitoring of lead, sulfur dioxide, carbon monoxide, nitrogen dioxide, ozone and fine particulates are subject to approval by the United State Environmental Protection Agency (U.S. EPA). The plans for the new lead monitoring network and for the Ohio Air Monitoring Network may be viewed at:

<http://www.epa.ohio.gov/dapc/ams/plan.html>

These air monitoring plans must be noticed to allow public comment and to satisfy U.S. EPA requirements for public involvement in air monitoring activities. This notice addresses Ohio EPA's reliance on air monitoring as evidence of attainment and maintenance and the commitment to institute contingency measures if ambient exceedances or violations trigger the contingency plan requirements. **Written comments must be received on or before August 6, 2009** at the following address:

E-mail: [gary.engler@epa.state.oh.us](mailto:gary.engler@epa.state.oh.us)

Or

Mailing address: Gary Engler  
Ohio Environmental Protection Agency, DAPC  
Lazarus Government Center  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
Phone: (614) 644-3623

**PUBLIC NOTICE**

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

On June 26, 2009, 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 whereby the underlying groundwater shall not be extracted for any potable use. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Date of Public Notice: July 3, 2009**

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

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has received an application for the initial issuance of a National Pollutant Discharge Elimination System (NPDES) permit (4IJ00112) for the proposed discharge from the Olen Corporation quarries in southern Franklin County. The NPDES application was submitted by The Olen Corporation, 4755 South High Street, Columbus, Ohio 43207.

The Olen Corporation has received approval by Columbus City Council to begin dewatering four lakes to quarry the limestone located under the sand and gravel. Each lake will be dewatered individually requiring a direct discharge to the Scioto River. The applicant is requesting three outfalls be permitted for this project. Once the limestone for each lake has been quarried, the discharge from that lake will cease and the lake will be allowed to refill with ground water and subsequently be used as a drinking water reservoir for the City of Columbus. The proposed project is located at 4755 South High Street, Hamilton Township, Franklin County, Ohio. The proposed discharges are to Scioto River.

Other wastewater disposal alternatives resulting in lesser or no degradation or lowering of water quality will be considered by Ohio EPA.

The discharges from the lake dewatering project, if approved, would result in degradation to, or lowering of, the water quality of the Scioto River. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1, will not be exceeded. 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.

Copies of the pending NPDES application are available for review at Ohio EPA's Central District Office, 50 West Town Street, 5<sup>th</sup> Floor, Columbus, Ohio 43215 (614) 728-3778. An Ohio EPA public hearing on the proposed project has been scheduled for 6:00 P.M. on August 19, 2009, 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 application. Persons wishing to 1) be on the Ohio EPA's interested parties mailing list for this project, or 2) submit comments for Ohio EPA's consideration must do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by close of business on August 26, 2009. Comments received after this date may not be considered as part of the official record.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
SENECA WIRE & MANUFACTURING**

On June 29, 2009, Ohio EPA issued final Findings and Orders to Seneca Wiring and Manufacturing Company for its facility located at 319 South Vine Street, Fostoria, Ohio, 44830. As the result of a fire on the property, the facility created small piles of debris on the ground and failed to evaluate the structural fire brick waste generated while it was segregated from other demolition debris. The EPA I.D. number for this facility is OHD004177374.

Seneca Wiring and Manufacturing Company must achieve compliance with Chapter 3734 of the Ohio Revised Code and all corresponding regulations according to the detailed compliance schedule which outlines civil penalties. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE**

**OHIO EPA APPROVES CLOSURE PLAN FOR  
SENECA WIRING AND MANUFACTURING**

On June 30, 2009, Ohio EPA approved a closure plan for Seneca Wiring and Manufacturing Company for the former firebrick hazardous waste storage piles located at 319 South Vine Street, Fostoria, Ohio 44830. The EPA I.D. number for this facility is OHD004177374.

Pursuant to Ohio Administrative Code rule 3745-66-11 & 12, the facility's closure plan received on November 14, 2008, was approved with modifications as outlined in the Director's June 30, 2009 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
LOWE'S HOME CENTERS, INC.**

On June 29, 2009, Ohio EPA issued final Findings and Orders to Lowe's Home Centers, Inc. (Lowe's) for its facility located at 12700 County Road 212, Findlay, Ohio 45840. This facility is a small quantity generator of hazardous waste and stored such waste greater than 180 days without a permit. The EPA I.D. number for this facility is OHR000126409.

Lowe's must achieve compliance with Chapter 3734 of the Ohio Revised Code and all corresponding regulations according to the detailed compliance schedule which outlines civil penalties and related fees. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE**

**Ohio EPA Director Issues  
Final Findings and Orders for  
Kaiser Aluminum Facility, Heath, Ohio**

On June 30, 2009, the Director of Ohio Environmental Protection Agency (Ohio EPA) issued as a final action Director's Final Findings and Orders to Kaiser Aluminum Fabricated Products, LLC to implement a remedial investigation / feasibility study (RI/FS) at the Kaiser facility, located at 600 Kaiser Drive, in Heath, Licking County, Ohio. The purpose of the RI/FS is to investigate known or potential areas of contamination at the site, determine whether remedial activities are appropriate, and, if so, evaluate their feasibility for the site. The Director's Final Findings and Orders require Kaiser to develop an RI/FS work plan and to implement the work plan as approved by Ohio EPA.

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 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 (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 Environmental Review Appeals Commission 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

The Director's Final Findings and Orders, and related documents, are available for review at Ohio EPA's Central District Office by calling 614-728-3778 or e-mailing [www.epa.state.oh.us/cdo](http://www.epa.state.oh.us/cdo) for an appointment.