

## **PUBLIC NOTICE**

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

Notice is hereby given that on August 10, 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 AMENDED CERTIFICATE OF REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE**

Notice is hereby given that on August 10, 2009; the director of Ohio EPA issued an amended infectious waste generator certificate to DaVita Inc, 5200 Virginia Way, Brentwood, TN 37027, Reg. No.: 00-G-01073. 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**

### **ALTERNATIVE INFECTIOUS WASTE TREATMENT TECHNOLOGY APPROVAL**

Notice is hereby given that on August 11, 2009, the director of Ohio Environmental Protection Agency (OEPA) granted statewide approval of the Caustic Digester Unit (CDU) as an alternative infectious waste treatment technology for Progressive Recovery, Inc., 700 Industrial Dr., Dupo, IL 62239. This approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable 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 Directors 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 at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Persons wishing to be on Ohio EPA's interested parties mailing list 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.

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

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rule 3745-25-03 of the Ohio Administrative Code (OAC). The rule contains the criteria justifying the proclamation of an air pollution "Alert", air pollution "Warning", or air pollution "Emergency" in the state of Ohio.

On April 8, 2009, the Ohio EPA Division of Air Pollution Control (DAPC) final filed OAC rule 3745-25-03 as part of the 5 year review process for OAC chapter 3745-25. A few days later, it was noted that the "Warning level" for nitrogen dioxide that had been adopted was incorrect. The adoption of this amended rule corrects the error and restores the level to meet federal requirements.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC is required to consult with interested parties affected by the rules before the division formally adopts them. On May 22, 2009 these rules went out for a 30 day review by interested parties. Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes was conducted on June 30, 2009 in Columbus, Ohio. There were no comments received during the comment period. The Director's order of adoption was issued on August 11, 2009. The effective date of these rules is August 21, 2009.

To request a copy of these rules, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding contact Paul Braun, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Paul Braun at 614-644-3734. Information on the rule language and adoption of the rule is available on DAPC's "What's New" Web page for electronic downloading. The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>. Please see the information dated August 11, 2009.

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

**Public Notice – Request for Comment**  
**Draft Amended OAC Rules 3745-14-01 and 3745-14-06**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has prepared a draft of changes to Ohio Administrative Code (OAC) rules 3745-14-01 and 3745-14-06. These rules are related to Ohio's NOx SIP call (NOx Budget Trading program) for the reduction of nitrogen oxides (NOx) during the ozone season from electrical generation units and large industrial boilers.

The changes to the draft rule language consist of the addition of new language in paragraph (C)(2)(a) and minor changes to update cross references in OAC rule 3745-14-01 and the addition of new paragraph (E)(4)(d) to OAC rule 3745-14-06. The proposed change in the applicability exemption section of rule 3745-14-01, has been drafted to facilitate the transition of the affected units from the NOx SIP call into the Clean Air Interstate Rule (CAIR) program (OAC Chapter 3745-109) and to begin the process of 'sunsetting" the parts of OAC Chapter 3745-14 which will no longer be needed as a result of Ohio's CAIR rules beginning in 2009.

As part of the rule-making process, DAPC 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 DAPC is offering your organization the opportunity to comment on these rules before the division formally proposes them.

Copies of the draft amended rules are available in electronic format on Ohio EPA's website at: "<http://www.epa.state.oh.us/dapc/regs/regs.html#NOx>." We request that you provide us with any comments you may have to the changes that have been recommended by **Friday, September 11, 2009**.

Please e-mail or mail your comments or suggestions to the following addresses. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail:

E-mail: [lee.burkleca@epa.state.oh.us](mailto:lee.burkleca@epa.state.oh.us)

Mailing address: Lee Burkleca  
Ohio Environmental Protection Agency, DAPC  
Lazarus Government Center  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
Phone: (614) 644-728-1344

**Public Notice – Request for Comment**  
**Draft Amended OAC Rules 3745-14-01 and 3745-14-06**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has prepared draft language for new and amended rules in Chapter 3745-21 of the Ohio Administrative Code (OAC) related to the control of volatile organic compound emissions from stationary sources.

The modification of the following existing OAC rule:

OAC rule 3745-21-22; Control of volatile organic compound emissions from offset lithographic printing and letterpress printing facilities.

The CTG-based rule is intended to address federal requirements, and assist in achieving and maintaining the ozone national ambient air quality standard. The amendments to this rule have been made in cooperation with the printing industry. The amendments are minor in nature and do not affect the scope or intent of this rule.

This proposed rule under this Chapter will apply to the eight “moderate” non-attainment counties located in the Cleveland/Akron, Ohio metropolitan area (i.e., Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County).

As part of the rule-making process, DAPC 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 DAPC is offering your organization the opportunity to comment on these rules before the division formally proposes them.

Attached, please find the draft amended OAC rule 3745-21-22 and a synopsis of the rule language. This rule is also available at: <http://www.epa.state.oh.us/dapc/regs/regs.html#Carbon>. Please see the information under the drafts and notices for the OAC Chapter 3745-21 dated August 12, 2009. **We request that you provide us with any comments you may have to the changes that have been recommended by September 14, 2009.**

Please e-mail or mail your comments or suggestions to the following addresses. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail:

E-mail: [alan.harness@epa.state.oh.us](mailto:alan.harness@epa.state.oh.us)

Mailing address: Alan L. Harness  
Ohio Environmental Protection Agency, DAPC  
Lazarus Government Center  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
Phone: (614) 644-4838

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

**PUBLIC NOTICE**

August 13, 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 the plan approval rules of the Ohio Administrative Code (OAC). The draft 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 to amend three plan approval rules, which establish requirements for plan drawings and procedures for plan approval or modification. The revisions include an update to the rule by reference to the 2007 version of the "Recommended Standards for Water Works," and the addition of three new ones: "Planning and Design Criteria for Establishing Approved Capacity for 1) Surface Water and Ground Water Supply Sources, 2) Drinking Water Treatment Plants (WTPs), and 3) Source/WTP Systems"; "Guidelines for Design of Small Public Water Systems"; and "Guidelines for Arsenic Removal Treatment for Small Public Drinking Water Systems." These documents will be available on the DDAGW Web site at <http://www.epa.state.oh.us/ddagw/oac.html#proposed>.

Additionally, paragraph (E) of OAC rule 3745-91-03 was revised to clarify that a professional engineer signature is not always required on plans submitted to the Agency. However, plans are required for the construction or installation of a public water system, or for any major modifications to a public water system.

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 September 15, 2009, beginning at 2:00 p.m. in Conference Room B 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 September 14, 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 Susan Baughman 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 **September 15, 2009**. Written comments on the proposed rules may be given to the presiding officer during the hearing, sent by mail to Susan Baughman 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 Donna Roberts at Ohio EPA at (614) 644-2916 or email at [donna.roberts@epa.state.oh.us](mailto:donna.roberts@epa.state.oh.us). Please request the "proposed plan approval 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#proposed>.

Questions concerning this proposed rule-making, other than obtaining copies of the proposed rules, may be addressed to Susan Baughman 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 [susan.baughman@epa.state.oh.us](mailto:susan.baughman@epa.state.oh.us).

**PUBLIC NOTICE**

**OHIO EPA APPROVES CLOSURE PLAN FOR  
FORMER NOVACOTE, INC.**

On August 12, 2009, Ohio EPA approved a closure plan for Novacote, Inc. for one indoor container storage area; one outdoor container storage and hazardous waste disposal area, and one outdoor container storage pad located at 3807 West 150<sup>th</sup> Street in Cleveland, Ohio 44111. The EPA I.D. number for this facility is OHR000014043.

Pursuant to Ohio Revised Code rule 3745-66-11 & 12, the facility's closure plan received on April 20, 2009 was approved with modifications as outlined in the Director's August 12, 2009 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Date of Public Notice: August 17, 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 modification of a National Pollutant Discharge Elimination System (NPDES) permit (2PF00001) for the discharge from the City of Sandusky Wastewater Treatment Plant. The application was submitted by the City of Sandusky, 222 Meigs Street, Sandusky, Ohio 44870.

The City of Sandusky requests to modify the effluent mercury discharge limit provision of the Sandusky Wastewater Treatment Plant NPDES permit by applying for a variance-based effluent mercury discharge limit. The City of Sandusky Wastewater Treatment Plant is located at 304 Harrison Street, Sandusky, Erie County, Ohio. The discharges are to Lake Erie.

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

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. 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 modification application are available for review at Ohio EPA's Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402 (419) 352-8461. An Ohio EPA public hearing on the proposed project has been scheduled for 6:30 P.M. on October 6, 2009 at the Sandusky City Hall Council Chambers, 222 Meigs Street, Sandusky, Ohio 44870. 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 applications. 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 October 13, 2009. Comments received after this date may not be considered as part of the official record.

**Date of Public Notice: August 20, 2009**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF ISOLATED WETLAND PERMIT  
APPLICATION (LEVEL 2)**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, an Isolated Wetland Permit (Level 2) for a project to expand an existing landfill impacting 4.39 acres of wetland, 0.81 acres of ponds and 804 lf of isolated stream channels. The application was submitted by Carbon Limestone Landfill, LLC., 8100 South Stateline Road, Lowellville, OH 44436. The project is located south of the current landfill at 8100 South Stateline Rd in Lowellville. The Ohio EPA Number for this project is 093536.

The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Ohio Revised Code (ORC) Sections 6111.02 to 6111.028 and other applicable provisions of state laws. Other alternatives as proposed by the applicant resulting in less adverse impact to the isolated wetland ecosystem, will be considered by Ohio EPA during the review process.

Starting August 20, 2009, copies of the application and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio, by first calling (614) 644-2001. 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 20 days of the date of this public notice.