

PUBLIC NOTICE

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

Notice is hereby given that on August 31, 2009, the director of Ohio EPA issued an amended infectious waste generator certificate to Dialysis Corporation of America, 214 Senate Ave Ste 300, Camp Hill PA 17011, Reg. No.: 00-G-01240. 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
OHIO ENVIRONMENTAL PROTECTION AGENCY
AMENDED SUSPENSION OF A LABORATORY'S CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM

Notice is hereby given that on August 27, 2009, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") 3745-300-04, issued modified Final Findings and Orders to TestAmerica Laboratories, Inc. ("TestAmerica"), of 2960 Foster Creighton Drive, Nashville, Tennessee reducing its certified laboratory suspension under Ohio's Voluntary Action Program from a minimum period of one year to eight months. The reduced suspension was agreed to by Ohio EPA in a settlement agreement to resolve an appeal of the suspension contained in the January 23, 2009 Director's Final Findings and Orders which TestAmerica appealed to the Environmental Review Appeals Commission on February 19, 2009. In exchange for the reduced suspension period, TestAmerica laboratory personnel participated in Ohio EPA approved training. Once the suspension period has expired, TestAmerica may request reinstatement of its certification.

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 revised Order, or any documents related to this amended suspension period, please contact Ohio EPA, Division of Emergency and Remedial Response, Site Assistance & Brownfield Revitalization, P.O. Box 1049, Columbus, Ohio 43216-1049, or contact us by telephone at (614) 644-2924.

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
City of Piqua (Orr-Statler Hotel)

Notice is hereby given that on September 3, 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 the city of Piqua for the property identified as the Orr-Statler Hotel property (the "Property").

The city of Piqua conducted a voluntary action of the 0.384-acre Property located at 110 West High Street, Piqua, Miami County, Ohio. A no further action letter was submitted on January 14, 2009 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of the city of Piqua by Barry Franz, a Certified Professional (No. CP119), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

The issuance of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. 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 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 served on the Director within three 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. The appeal may be filed with the Commission at 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.

Date of Public Notice: August 31, 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 an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 water quality certification for a project to correct dam safety concerns at Bolivar Dam. The proposed project consists of construction of a seepage blanket to reduce risk of dam failure associated with Bolivar Dam underseepage issues, until major rehabilitation of the dam can be completed. The application was submitted by the U.S. Army corps of Engineers, Huntington District, 502 Eighth Street, Huntington, West Virginia 25701-2070. The project is located at Bolivar Dam near Bolivar in Tuscarawas County, Ohio. The Ohio EPA ID Number for this project is 093522.

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 fill 1,450 linear feet (LF), 108 LF of an unnamed tributary to the backwater channel, and 1.92 acres of Category II forested wetlands for a total of 63,346 cubic yards of fill. The applicant's proposed minimal degradation alternative, if approved, would fill 1.92 acres of Category II forested wetlands and 108 LF of an unnamed tributary to the backwater channel, for a total of 10,346 cubic yards of fill. 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 Sandy Creek of the Tuscarawas River. Ohio EPA will review the application, and decide whether to grant or deny the application, in accordance with OAC Chapters 3745-1 and 3745-32. In accordance with OAC rule 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of water quality. All three proposed alternatives will be considered during the review process. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting September 1, 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. Copies of the application and technical support information can be made available upon request 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 thirty days of the date of this public notice.

PUBLIC NOTICE

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO
CARAUSTAR INDUSTRIES**

On September 1, 2009, Ohio EPA issued final Findings and Orders to Caraustar Industries, Inc. for its facility located at 100 Industrial Avenue, Rittman, Ohio. This facility requested an extension to its waiver in connection with temporary discontinuance of regulated operations at the facility. The extension is granted by Ohio EPA and expires on August 2, 2011. The EPA I.D. number for this facility is OHR000016287.

Caraustar Industries, Inc. must achieve compliance with Chapter 3752.10 of the Ohio Revised Code and Ohio Administrative Code rule 3745-352-40 and the regulations promulgated thereunder. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.