

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

**PUBLIC NOTICE**

September 18, 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 rules in Ohio Administrative Code (OAC) to adopt the federal Stage 2 Disinfectants and Disinfection Byproducts (D/DBP) Rule. The proposed amendments are, in part, a result of the five year rule review requirements of Section 119.032 of the Revised Code.

The Stage 2 D/DBP rule builds upon earlier rules that addressed disinfection byproducts to improve drinking water quality and provide additional public health protection from disinfection byproducts. The Stage 2 rule strengthens public health protection for customers of systems that deliver disinfected water by requiring such systems to meet maximum contaminant levels as an average at each compliance monitoring location (instead of as a system-wide average as in previous rules) for two groups of DBPs, trihalomethanes (TTHM) and five haloacetic acids (HAA5). The rule targets systems with the greatest risk and builds incrementally on existing rules. This regulation will reduce DBP exposure and related potential health risks and provide more equitable public health protection.

Please note some provisions of the federal Stage 2 D/DBP rule are included in other rulemaking packages and will go into effect prior to these rules. Specifically, revisions to OAC rules 3745-81-01, 3745-96-01 and 3745-96-02 are included in the Lead and Copper Short-Term Revisions rules package, and revisions to OAC rule 3745-81-27 are included in the Long Term 2 (LT2) Enhanced Surface Water Treatment rules package.

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 October 22, 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 October 21, 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 October 22, 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 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 Stage 2 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.ohio.gov/ddagw/rulemaking.aspx#proposed>.

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).

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

**PUBLIC NOTICE**

September 18, 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 new rules and revisions to rules in the Ohio Administrative Code (OAC) to adopt the federal Long Term 2 (LT2) Enhanced Surface Water Treatment rules. The Long Term 2 Enhanced Surface Water Treatment Rule was published in the Federal Register on January 5, 2006. These rules strengthen protection against microbial contaminants, especially *Cryptosporidium*, and at the same time, reduce potential health risks of disinfection byproducts. The proposed new rules and amendments are, in part, a result of the five year rule review requirements of Section 119.032 of the Revised Code.

The purpose of the federal LT2 rule is to reduce illness linked with the contaminant *Cryptosporidium* and other pathogenic microorganisms in drinking water. The proposed new and revised rules will affect all public water systems that use surface water or ground water under the direct influence of surface water (GWUDI) sources. The LT2 rules supplement existing regulations by targeting additional *Cryptosporidium* treatment requirements to higher risk public water systems. The rules also contain provisions to ensure public water systems maintain microbial protection when they take steps to decrease the formation of disinfection byproducts that result from chemical water treatment.

The division is proposing revisions to include LT2 language in the following OAC rules:

3745-81-27 (Analytical techniques),  
3745-81-32 (Public notification),  
3745-81-60 (Sanitary surveys),  
3745-81-71 (General requirements for filtration and disinfection of surface water sources),  
3745-81-72 (Disinfection of water from surface water sources),  
3745-81-73 (Filtration of water from surface water sources), and  
3745-81-76 (Water source designation).

Two definitions containing LT2 language have been proposed in OAC rule 3745-81-01 (Definitions) and were included in the Lead and Copper Short-term Revisions rule package. In addition, proposed revisions in OAC rule 3745-81-27 (Analytical techniques) incorporates additional methods available for analyzing drinking water

samples required by regulation which were published in the Federal Register, June 3, 2008 and August 3, 2009.

DDAGW is also proposing new LT2 rules in the OAC:

- 3745-81-64 (General requirements of the Long Term 2 Enhanced Surface Water Treatment Rule),
- 3745-81-65 (Source monitoring requirements),
- 3745-81-66 (Source monitoring results and grandfathered data),
- 3745-81-67 (LT2 bin classification and treatment technique requirements),
- 3745-81-68 (Microbial toolbox options for meeting Cryptosporidium treatment requirements),
- 3745-81-69 (Reporting and recordkeeping requirements for LT2 only),
- Appendix to 3745-81-71 (Required Analysis for Surface Water Sources), and
- 3745-89-11 (Approved laboratories for the Long Term 2 Enhanced Surface Water Treatment Rule).

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 October 22, 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 October 21, 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 October 22, 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) 644-2755 or email at [Donna.Roberts@epa.state.oh.us](mailto:Donna.Roberts@epa.state.oh.us). Please request the "**proposed LT2 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.ohio.gov/ddagw/rulemaking.aspx#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).

**NOTICE OF ADOPTION OF RULES  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Rules 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, has adopted 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

The Director's order of adoption was issued on **September 24, 2009**. These adopted rules will become effective on **October 5, 2009**. To request a copy of these rules, write to Melinda Harris, Ohio Environmental Protection Agency, Division of Surface Water, P.O. Box 1049, Columbus, OH 43216-1049 or call Mrs. Harris at (614) 728-1357. Copies of the adopted rules are also available on the Ohio EPA Division of Surface Water Web site at [www.epa.ohio.gov/dsw/](http://www.epa.ohio.gov/dsw/).

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on August 4, 2009, and comments received during the public comment period.

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 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, OH 43215

**PUBLIC NOTICE**  
**DIRECTOR'S FINAL FINDINGS AND ORDERS**  
**Suspension of Certificate of Certified Professional**  
**Under Ohio's Voluntary Action Program**

Notice is hereby given that on September 18, 2009 the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") 3745-300-05, issued Final Findings and Orders to Michael D. Weinstein under a settlement.

The Director's Final Findings and Orders (Orders) suspend Mr. Weinstein's certification to serve as a certified professional under Ohio's Voluntary Action Program ("VAP"). Additionally, Mr. Weinstein has agreed under the terms of the Orders to forgo applying for VAP recertification until after October 31, 2011. The Orders do not prevent Mr. Weinstein from working in a consultant capacity or coordinating with VAP certified professionals.

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 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, OH 43215

If you would like to review a copy of the Director's Final Findings and Orders, please contact Debi Tavizon, Records Management Officer, Ohio EPA, Division of Emergency and Remedial Response, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

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

Notice is hereby given that on September 22, 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: **Larry S. Smith CP133, Scott A. Madill CP241, Bruce W. Baker CP198, Ronald R. Clark CP101, David W. Behringer CP289, Craig A. Kasper CP103, Thomas J. Mignery CP125, and Oren J. Gottlieb CP123.**

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.

Public Notice Date: September 24, 2009

OHIO ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC NOTICE  
**MAD 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 Mad 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 Mad River watershed that appear on the Ohio 2008 303(d) list (assessment units 05080001 150, 160, 170, 180 and 190). The impaired waters are located in the Counties of Logan, Champaign, Miami, Clark, Greene and Montgomery.

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: Beth Risley, or by email to [beth.risley@epa.state.oh.us](mailto:beth.risley@epa.state.oh.us) by the close of business, October 26, 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 Beth Risley at the address above or by calling 1-614-644-2001. The Document will be posted (on or before September 24, 2009) to the Ohio EPA Division of Surface Water Web site <http://epa.ohio.gov/dsw/tmdl/index.aspx>.

Statewide

Ohio EPA Permit No. 5PGS0003  
U.S. EPA Permit No. OHS000003

**National Pollutant Discharge Elimination System (NPDES) Permit Program**

**PUBLIC NOTICE  
OF  
ISSUANCE OF THE DRAFT GENERAL NPDES PERMIT  
FOR  
SMALL DISCHARGES OF SANITARY WASTEWATER  
(LESS THAN 25,000 GALLONS PER DAY)**

Ohio Environmental Protection Agency  
Division of Surface Water, Permits Section  
50 Town Street, Suite 700  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
(614) 644-2001

Public Notice No.: 09-09-028  
Date of Issue of Public Notice: September 30, 2009

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has issued a draft renewal of the general National Pollutant Discharge Elimination System (NPDES) permit that may potentially provide coverage to small sanitary discharge systems in the state of Ohio. This draft permit represents a renewal of the small sanitary permit issued in 2005.

Applicants under this permit include sanitary systems from public, industrial and commercial facilities. Key parameters limited in this permit are: Dissolved Oxygen, Biochemical Oxygen Demand, Total Suspended Solids, Ammonia, Fecal Coliform, and Residual Chlorine.

Copies of the draft general NPDES permit and the associated fact sheet and documentation can be obtained on the Ohio EPA-DSW web page at [www.epa.ohio.gov/dsw/permits/gpfact.aspx](http://www.epa.ohio.gov/dsw/permits/gpfact.aspx) or by contacting one of the following Ohio EPA district offices:

Southeast District Office	(740) 385-8501
Southwest District Office	(937) 285-6357
Northwest District Office	(419) 352-8461
Northeast District Office	(330) 963-1200
Central District Office	(614) 728-3778

Persons wishing to be on the Ohio EPA's interested parties mailing list for this project or wishing to submit comments for Ohio EPA's consideration may do so in writing to Ohio EPA's Division of Surface Water, Attention: Eric Nygaard, Permits and Compliance Section, P.O. Box 1049, Columbus, Ohio 43216-1049 by October 30, 2009.

Statewide

Ohio EPA Permit No. 5PGV0002  
U.S. EPA Permit No. OHV000002

National Pollutant Discharge Elimination System (NPDES) Permit Program

**PUBLIC NOTICE  
OF  
ISSUANCE OF THE DRAFT GENERAL NPDES PERMIT FOR  
SMALL DISCHARGES OF SANITARY WASTEWATER  
(LESS THAN 25,000 GALLONS PER DAY)  
THAT CANNOT MEET BADCT STANDARDS**

Ohio Environmental Protection Agency  
Division of Surface Water, Permits Section  
50 West Town Street, Suite 700, P.O. Box 1049  
Columbus, Ohio 43216-1049  
(614) 644-2001

Public Notice No. : 09-09-027  
Date of Issue of Public Notice: September 30, 2009

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)- Division of Surface Water (DSW) has issued a draft of a new general National Pollutant Discharge Elimination System (NPDES) permit that may potentially provide coverage to small sanitary discharge systems in the state of Ohio. This draft permit represents a renewal of the small sanitary permit issued in 2005.

This new permit covers existing sanitary treatment discharges that are not currently meeting Best Available Demonstrated Control Technology (BADCT) treatment standards. The permit includes a compliance schedule requiring operators to upgrade their treatment systems to meet BADCT standards within three (3) years of obtaining coverage under the permit.

The BADCT standards apply to the following parameters: Dissolved Oxygen, Biochemical Oxygen Demand, Total Suspended Solids, Ammonia, Fecal Coliform, and Residual Chlorine.

Copies of the draft general NPDES permit and the associated fact sheet and documentation can be obtained on the Ohio EPA-DSW web page at [www.epa.ohio.gov/dsw/permits/gpfact.aspx](http://www.epa.ohio.gov/dsw/permits/gpfact.aspx) or by contacting one of the following Ohio EPA district offices:

Southeast District Office (740) 385-8501  
Southwest District Office (937) 285-6357  
Northwest District Office (419) 352-8461  
Northeast District Office (330) 963-1200  
Central District Office (614) 728-3778

Persons wishing to be on the Ohio EPA's interested parties mailing list for this project or wishing to submit comments for Ohio EPA's consideration may do so in writing to Ohio EPA's Division of Surface Water, Attention: Eric Nygaard, Permits and Compliance Section, P.O. Box 1049, Columbus, Ohio 43216-1049 by October 30, 2009.

**PUBLIC NOTICE**

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

On September 18, 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 03-02-1029E. The expiration for this permit is December 17, 2009.

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

**PUBLIC NOTICE**

**OHIO EPA ISSUES DRAFT STATEMENT OF BASIS FOR PREFERRED  
WASTE REMEDIATION**

On September 25, 2009, Ohio EPA issued a Statement of Basis to the former Reilly Tar and Chemical Corporation Facility (Reilly Tar) for its property located at 3201 Independence Road, Cleveland, Ohio 44105. The EPA Identification Number for this facility is OHD083320945.

**Why does Reilly Tar need a Statement of Basis?**

Reilly Tar is addressing the contaminated soil and ground water site-wide that is subject to correction action. The Statement of Basis (SB) identifies Ohio EPA's preferred remedies, explains the reasons for the selection of the remedies, solicits public review and comments and provides information on how the public can be involved in the remedy selection process. The SB allows Reilly Tar to institute corrective action activities at the designated areas when a final decision is issued.

**How can I tell Ohio EPA what I think about this Statement of Basis?**

You can submit written comments anytime between **September 28, 2009** and **November 12, 2009**. Send your comments to Ohio EPA, Central Office, Division of Hazardous Waste Management, Regulatory and Information Services Section, P.O. Box 1049, Columbus, Ohio 43216-1049, e-mail address: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us).

**When and where will Ohio EPA hold a public meeting?**

You may request Ohio EPA to hold a public meeting for the Statement of Basis. You should send your request to: Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, 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](mailto:dhwmcomments@epa.state.oh.us). If the request is granted, Ohio EPA will announce the time and location of the public meeting.

**Where can I review the RCRA Facility Investigation Report and Statement of Basis?**

You can review these at one of the following locations:

**Ohio EPA - Northeast District Office**, 2110 East Aurora Road, Twinsburg, Ohio 44087-1969, (330) 425-9171, and;

**Ohio EPA, Division of Hazardous Waste Management**, 50 West Town Street, 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 SB, making any necessary changes, and issue a final decision. Ohio EPA will issue a "response to public comments," specifying any changes made to the SB. If you commented on the SB, Ohio EPA will send you copies of the "response to public comments" and the final decision.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
K.P. McNAMARA COMPANY**

On September 2, 2009, Ohio EPA issued final Findings and Orders to K.P. McNamara Company for its facility located at 3972 Hamilton Avenue, Cleveland, Ohio. This facility is a large quantity generator of hazardous waste and stored and transported such waste without a permit. The EPA I.D. number for this facility is OHR000108027.

K.P. McNamara Company must achieve compliance with Chapter 3734 of the Ohio Revised Code and the regulations promulgated thereunder according to the detailed compliance schedule which outlines civil penalties and payments. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Date of Public Notice: September 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 impact 0.75 acres of isolated Category 1 wetlands for the purpose of constructing a 364,000 square feet of distribution center. The application was submitted by Cabot II, 5747 Perimeter Drive, Suite 130, Dublin, Ohio 43017. The project is located at the northeast corner of Pontius Road and Hayes Road, in Groveport, Franklin County. The Ohio EPA Number for this project is 073216.

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 September 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.

**Date of Public Notice: September 21, 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 excavate and grade for future commercial retail and warehouse development and to construct a railroad spur and haul road, impacting 0.832 acres of wetland. The application was submitted by the Zanesville-Muskingum County Port Authority, 205 North 5<sup>th</sup> Street, Zanesville, Ohio 43701. The project is located south Culbertson Road, west of Church Hill Road, north Adamsville Road and east of North River Road East. The Ohio EPA Number for this project is 093505.

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 September 21, 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.