

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

**Buckeye Pipe Line Company, LP for the Property, located at 4416 North Dixie Highway, Lima, Allen County, Ohio.**

Notice is hereby given that on October 13, 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 Buckeye Pipe Line Company, LP for property identified as the 4416 North Dixie Highway Property (the "Property").

Buckeye Pipe Line Company, LP conducted a voluntary action of the approximately 4.95-acre Property located at 4416 North Dixie Highway, Lima, Allen County, Ohio. A no further action letter was submitted on February 26, 2009 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Buckeye Pipe Line Company, LP by Donald A. Fay, a Certified Professional (No. CP254), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

This action of the Director is final and may be appealed to the Environmental Review Appeals 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 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 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 St., Room 222, Columbus, OH 43215.

If you would like to review a copy of the Covenant Not To Sue/Final Findings and Orders, please contact the 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**  
**DIRECTOR'S FINAL FINDINGS AND ORDERS**  
**Nonrenewal of Certification of a Certified Professional**  
**Under Ohio's Voluntary Action Program**

Notice is hereby given that on October 14, 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 T. Coonfare under a settlement.

The Director denied Mr. Coonfare's request for renewal of his certification to serve as a certified professional under Ohio's Voluntary Action Program ("VAP") in the Final Findings and Orders. Mr. Coonfare has agreed under the Director's Final Findings and Orders to forgo applying for recertification under Ohio's VAP until after May 30, 2011, and to terms for his continuing education and professional development. The Orders do not prevent Mr. Coonfare 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 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, 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 EPA ISSUES FINAL ENVIRONMENTAL COVENANTS TO  
ASHTA CHEMICALS, INC.**

On October 14, 2009, Ohio EPA issued an Environmental Covenant to ASHTA Chemicals, Inc., for its facility located at 3905 Middle Road, Ashtabula, Ohio 44005. ASHTA Chemicals, Inc. is an unpermitted hazardous waste facility and has undergone closure activities. The EPA I.D. number for this facility is OHD980793301.

ASHTA Chemicals, Inc. must achieve compliance with 5301.80 to 5301.92 of the Ohio Revised Code which restricts the use of its property to industrial activities in the areas known as Closure Area 1 and Closure area 2. 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  
ZACLON, LLC**

On October 8, 2009, Ohio EPA issued final Findings and Orders to Zaclon, LLC. for its facility located at 2981 Independence Road, Cleveland, Ohio 44115. This facility operates a specialty and basic chemical manufacturing operation but established an unpermitted hazardous waste facility and mismanaged the storage of such waste. The EPA I.D. number for this facility is OHD004184768.

Zaclon, LLC 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.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
PPG INDUSTRIES, INC.**

On October 15, 2009, Ohio EPA issued final Findings and Orders to PPG Industries, Inc. for its facility located at 559 Pittsburgh Road, Circleville, Ohio 43113. This facility is a large quantity generator of hazardous waste and is a permitted treatment and storage facility. PPG unlawfully stored hazardous waste in eight tanker trucks and two box trucks in an area not permitted for storage. The EPA I.D. number for this facility is OHD004304689.

PPG Industries, Inc. 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: October 19, 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 construct a raw water intake structure, raw water intake pipeline, pumping station, screening return, raw water transmission mains, raw water reservoir drain pipe, raw water sample pump and associated pipeline and electrical conduit, and the associated infrastructure. The proposed project will provide a new source of raw water to the newly constructed reservoir when completed. The application was submitted by the City of Fremont, 323 S. Front Street, Fremont, OH 34320. The project is located on the west bank of the Sandusky River, between the river and CR 132 (S. River Road) near the Portage Trail Park. The Ohio EPA ID Number for this project is 093487.

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 impact 170 feet of the Sandusky River (headwall and associated riprap for bank stabilization at the raw water intake structure, the outlet of the screening return pipeline, and the outlet of the raw water reservoir drain pipeline), and 0.715 acres of category 3 wetlands for the installation of the raw water intake pipeline and screening return pipeline. The applicant's proposed minimal degradation alternative, if approved, would impact 170 feet of the Sandusky River (headwall and associated riprap for bank stabilization at the raw water intake structure, the outlet of the screening return pipeline, and the outlet of the raw water reservoir drain pipeline) and 0.019 acre of category 3 wetlands (headwall and associated riprap for bank stabilization at the raw water intake structure, the outlet of the screening return pipeline, and the outlet of the raw water reservoir drain pipeline). 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 Sandusky River and adjacent wetlands. 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 October 19, 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.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on December 8, 2009 at 6:30 p.m. at Birchard Public Library Meeting Room B, 423 Croghan Street, Fremont Ohio 43420. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the project.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project. The purpose of the hearing is to obtain additional information that will be considered by Ohio EPA prior to any further action on the application.

Ohio EPA will continue to accept written comments on the application through the close of business on December 15, 2009. Comments received after this date may not be considered as part of the official record of the hearing. Anyone may submit written comments or requests to be placed on a mailing list for information by writing to: Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE**

**OHIO EPA ISSUES DRAFT RENEWAL HAZARDOUS WASTE PERMIT TO  
PPG INDUSTRIES, INC, BARBERTON**

On October 16, 2009, Ohio EPA issued a draft renewal Hazardous Waste Facility Installation and Operation Permit (Permit) to PPG Industries, Inc., Barberton, for its facility located at 4829 Fairland Road, Barberton, Ohio 44203-3905. The EPA Identification Number for this facility is OHD004198917.

**Why does PPG Industries, Inc. need a Draft Renewal Permit for its Barberton Facility?**

PPG Industries, Inc., Barberton (PPG), is a specialty plastic resin and chemical production facility. The purpose of the Permit is to allow continued storage of waste generated by the following operations: manufacture of optical products (plastic resins and catalysts); Teslin; silica products; and maintenance activities. PPG currently operates a Development Center. To issue this draft renewal Permit, Ohio EPA determined that the Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws and demonstrates sufficient reliability, expertise and competency to operate a hazardous waste facility. When issued, the renewal Permit will allow PPG to continue to store waste in containers on-site. Also, if issued, the renewal Permit will require PPG to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility.

**When and where will Ohio EPA hold a Public Meeting?**

You may request Ohio EPA to hold a public meeting for this draft renewal permit. You should send your request to: Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services Section, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2917, 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.

**When and how do I submit written comments?**

You can submit written comments anytime between October 17 and December 1, 2009. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services Section, 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).

**Where can I review the Permit Application and draft renewal Permit?**

You can review these at one of the following locations:

***Barberton Public Library***, 602 West Park Avenue, Barberton, Ohio 44203-2458, (330) 745-1194;

***Ohio EPA, Northeast District Office***, 2110 East Aurora Road, Twinsburg Ohio 44087, (330) 963-1200; 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 and will reconsider the draft Permit, making any necessary changes, and issue or deny the final renewal Permit. Ohio EPA will issue a "response to public comments," specifying any changes made to the draft Permit. If you commented on the draft renewal Permit, Ohio EPA will send you a copy of the "response to public comments" and the final permit decision.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
MORGAN ADHESIVES COMPANY**

On October 8, 2009, Ohio EPA issued final Findings and Orders to Morgan Adhesives Company. for its facility located at 4550 Darrow Road, Stow, Ohio 44224. This facility is a large quantity generator of hazardous waste and stored four (4) 55-gallon drums longer than the 90-day accumulation period. The EPA I.D. number for this facility is OHD004155347.

Morgan Adhesives 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.