

PUBLIC NOTICE

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

Notice is hereby given that on October 16, 2009; the director of Ohio EPA issued an amended infectious waste transporter certificate to Rodney Skeen, Healthcare Waste Solutions, Inc., 380 Locust St., McKeesport, PA 15132, Reg. No. 00-T-00295. 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 Hearing Notice
Ohio Environmental Protection Agency
Proposed amendment of
Ohio Administrative Code (OAC) rule 3745-14-01 and
OAC rule 3745-14-06

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) proposes to amend Administrative Code (OAC) rules 3745-14-01, "Definitions and general provisions" and 3745-14-06, "The NO_x allowance tracking system". The amendments are being proposed to facilitate the transition of the affected units from the NO_x 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. The proposed rule language consists of the addition of new language in paragraph (C)(2)(a) of OAC rule 3745-14-01 and paragraph (E)(4)(d) of OAC rule 3745-14-06.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally adopts them. On August 11, 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 will be conducted on Tuesday, December 1, 2009 at 11:00 AM in conference room C at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. 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, visitor's are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

Pursuant to Part D of Title I of the Clean Air Act, Ohio EPA is required to establish a state implementation plan (SIP) for the attainment and maintenance of the national ambient air quality standards (NAAQS). The above mentioned rules are a part of Ohio's SIP and the proposed amendments will be submitted to USEPA as a modification of the SIP. The above mentioned hearing shall be considered the public hearing for the SIP submittal.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on December 1, 2009, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after December 1, 2009, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on the Ohio EPA regulations web page for electronic downloading. The URL is; <http://epa.ohio.gov/dapc/regs/regs.aspx#nox>. Questions

regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Lee F. Burkleca at Ohio EPA, (614) 728-1344, lee.burkleca@epa.state.oh.us, or mailed to Lee Burkleca, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

Public Hearing Notice
Ohio Environmental Protection Agency
Five-Year Rule Review of Ohio Administrative Code (OAC) Chapter 3745-104

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has performed a review of the above referenced rules primarily to satisfy the requirements of Section 119.032 of the Ohio Revised Code (five-year review). The DAPC finds the following rules to be necessary and with need for changes. The DAPC proposes to amend rule(s) 3745-104-01 to 3745-104-05, 3745-104-09, 3745-104-10, 3745-104-11, 3745-104-13, 3745-104-14, 3745-104-16, 3745-104-17, 3745-104-24, 3745-104-25, 3745-104-34, 3745-104-36, 3745-104-39, 3745-104-42, 3745-104-49, 3745-104-52, and 3745-104-53 to address minor typo graphical errors, update information on referenced items, and corrections to match LSC formatting conventions.

DAPC is proposing a change to OAC 3745-104-38 to ease reporting for subject facilities. Facilities will no longer be required to submit an RMP to Ohio EPA DAPC on their five-year anniversary. However, facilities will still be required to submit a copy of the RMP to Ohio EPA DAPC if it is an initial RMP, an RMP that is required to be updated due to a major change in the process or due to an RMP reportable release. The remaining rule amendments are due to format and language corrections.

The DAPC has found the following rules to be necessary but without needs for changes: OAC rules 3745-104-06 to 3745-104-08, 3745-104-12, 3745-104-15, 3745-104-18 to 3745-104-23, 3745-104-26 to 3745-104-33, 3745-104-35, 3745-104-37, 3745-104-40, 3745-104-41, 3745-104-43 to 3745-104-48, 3745-104-50 and 3745-104-51.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally adopts them. On June 24, 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 will be conducted on Tuesday, December 1, 2009 at 10:00 AM in conference room C at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. 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, visitor's are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on December 1, 2009, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after December 1, 2009, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on the Web page for electronic downloading. The URL is: <http://epa.ohio.gov/dapc/regs/regs.aspx>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Sherri Swihart at Ohio EPA, (614) 644-3594 your extension, sherri.swihart@epa.state.oh.us, or mailed to Sherri Swihart, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail.

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
VH Deerfield, LLC/ Former K-mart Property

Notice is hereby given that on October 15, 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 VH Deerfield, LLC for the property identified as the Former K-mart Property (the "Property").

VH Deerfield, LLC conducted a voluntary action of the 10.0725-acre Property located at 5500 Ridge Avenue, Cincinnati, Hamilton County, Ohio. A no further action letter was submitted on September 9, 2008 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of VH Deerfield, LLC by Brad White, a Certified Professional (CP146), 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 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 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.

**Division of Surface Water
Credible Data (Volunteer Monitoring) Program
Qualified Date Collector Trainer Approvals
All Effective 10/21/09**

Name Organization	Level / Specialty	Expiration Date
Jennifer Bowman (QDC #341) Ohio University/Voinovich Center	Level 2/Chemistry Level 2/Benthic Macroinverts. Level 1	NA
Robert Davic (QDC # 303)	Level 2 & 3 Chemistry (Lakes) Level 2 & 3 Habitat (QHEI) Level 2 & 3 Primary Headwater Habitat	NA
Sarah Matheny (#200)	Level 2/ Benthic Macroinvertebrates	NA
Edward Rankin (#369)	Level 2 & 3 Habitat (QHEI)	NA

**Division of Surface Water
Credible Data (Volunteer Monitoring) Program
Qualified Date Collector Approvals
All Effective 07/28/09**

David Baker (#003) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Keith Carr (#019) Hull & Associates	Level 3 – Fish Community Biology & Stream Habitat Assessment (QHEI)	7/27/2011
Aaron Roerdink (#057) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Peter Richards (#058) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Dorothy Ewing (#060) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Barbara Merryfield (#061) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Jack Kramer (#062) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Leigh Ann Gerardi McCulla (#188) Honey Creek Watershed	Level 2 – Stream Habitat Assessment (QHEI)	7/27/2014
Adam Lehman (#340) Shaw Environmental	Level 2 – Stream Habitat Assessment (QHEI)	7/27/2014
Stuart Smith (#361) Sandusky River Watershed Coalition	Level 3 – Chemical Water Quality Assessment	7/27/2011

Date of Public Notice: October 23, 2009

**PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING**

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 certification for the construction of a steel crib pier at the Lake Erie shoreline. The application was submitted by Mr. Timothy L. Ahner, 5214 Ransom Drive, Sandusky, Ohio 44870. The project is located along the Lake Erie shoreline at 933 Lakeshore Drive, Kelleys Island, Ohio 43438. The Buffalo District Corps of Engineers Public Notice Number for this project is 2008-01541. The Ohio EPA ID Number for this project is 093538.

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 result in a total of 455 cy of stone-filled steel cribbing (along 230 LF of pier centerline) to be placed below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade. The proposed Preferred Alternative will occupy a total of 1950 square feet of lands presently lying below the plane of ordinary high water (OHW).

The applicant's proposed Minimal Degradation Alternative, if approved, would result in a total of 435 cy of stone-filled steel cribbing (along 210 LF of pier centerline) to be placed below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade. The proposed Minimal Degradation Alternative will occupy a total of 1850 square feet of lands presently lying below the plane of ordinary high water (OHW). 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 Lake Erie. 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 23, 2009, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available upon request at the 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 10, 2009 at 6:30 p.m. at Danbury Township Hall, 5972 E. Port Clinton Eastern Road, Marblehead, Ohio 43440. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

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 the Director of 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 17, 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 request 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.