

PUBLIC NOTICE

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

Notice is hereby given that on October 29, 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 ACTIONS OF THE DIRECTOR
ISSUANCE OF CERTIFICATES TO REPAIR FACILITIES UNDER
THE MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code Chapter 3704.14 and Ohio Administrative Code rule 3745-26-15, has issued certificates to perform work as a Certified Repair Facility under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the facilities listed below. All certificates are issued 11/2/2009.

For information regarding these final actions, contact Michael Riggleman, Ohio EPA, Division of Air Pollution Control, Mobile Sources Section, P.O. Box 1049, Columbus, Ohio 43216-1049, or by telephone at (614) 644-3059. These final actions of the Director were not preceded by proposed actions, and are appealable to the Environmental Review Appeals Commission within thirty (30) days after issuance of the Director's action, pursuant to section 3745.07 of the Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. Appeals must be sent to the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

COUNTY	SHOP NAME	CITY	STATE
CUYAHOGA	ASP SUNOCO	GARFIELD HTS	OH
PORTAGE	FLYNN'S TIRE AND SERVICE CTR	KENT	OH

Public Notice Date: November 12, 2009

**OHIO ENVIRONMENTAL PROTECTION AGENCY
PUBLIC NOTICE
WALNUT CREEK 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 Walnut Creek 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 Walnut Creek watershed that appear on the Ohio 2008 303(d) list (assessment units 05060001 170 and 180). The impaired waters are located in the Counties of Fairfield, Franklin, Licking, Perry, and Pickaway.

All interested persons wishing to submit comments for Ohio EPA's consideration may do so in writing to Ohio EPA, Central District Office, P.O. Box 1049, Columbus, Ohio 43216-1049, Attn: Jan Rice, or by email to jan.rice@epa.state.oh.us by the close of business, December 14, 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 Jan Rice at the address above or by calling 1-614-728-3778. The Document will be posted (on or before November 12, 2009) to the Ohio EPA Division of Surface Water Web site <http://www.epa.ohio.gov/dsw/Home.aspx>.

PUBLIC NOTICE

The following applications and/or verified complaints were received, and the following draft, proposed and final actions were issued, by the Ohio Environmental Protection Agency (OEPA) last week. "Actions" include the adoption, modification, or repeal of orders (other than emergency orders); the issuance, denial, modification or revocation of licenses, permits, leases, variances, or certificates; and the approval or disapproval of plans and specifications. "Draft actions" are written statements of the Director of Environmental Protection's (Director's) intent with respect to the issuance, denial, etc. of a permit, license, order, etc. Interested persons may submit written comments or request a public meeting regarding draft actions. Comments or public meeting requests must be submitted within 30 days of notice of the draft action. "Proposed actions" are written statements of the Director's intent with respect to the issuance, denial, modification, revocation, or renewal of a permit, license or variance. Written comments and requests for a public meeting regarding a proposed action may be submitted within 30 days of notice of the proposed action. An adjudication hearing may be held on a proposed action if a hearing request or objection is received by the OEPA within 30 days of issuance of the proposed action. Written comments, requests for public meetings and adjudication hearing requests must be sent to: Hearing Clerk, Ohio Environmental Protection Agency, P.O. Box 1049, Columbus, Ohio 43216-1049 (Telephone: 614-644-2129). "Final actions" are actions of the Director which are effective upon issuance or a stated effective date. Pursuant to Ohio Revised Code Section 3745.04, a final action may be appealed to the Environmental Review Appeals Commission (ERAC) by a person who was a party to a proceeding before the Director by filing an appeal within 30 days of notice of the final action. Pursuant to Ohio Revised Code Section 3745.07, a final action issuing, denying, modifying, revoking or renewing a permit, license or variance which is not preceded by a proposed action, may be appealed to the ERAC by filing an appeal within 30 days of the issuance of the final action. ERAC appeals accompanied by a \$70.00 filing fee which the Commission in its discretion may reduce if by affidavit the appellant demonstrates that payment of the full amount of the fee would cause extreme hardship, must be filed with: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. A copy of the appeal must be served on the Director within 3 days after filing the appeal with ERAC.

FINAL ISSUANCE OF NPDES PERMIT

CITY OF TORONTO - ASHBRIDGES BAY TREATMENT PLANT
1015 LAKESHORE BLVD E-PO BOX 75309
TORONTO, ONTARIO CANADA ACTION DATE : 12/01/2009
RECEIVING WATERS: LAND APPLICATION
FACILITY DESCRIPTION: SEWAGE SLUDGE FROM CITY OF TORONTO, CANADA
IDENTIFICATION NO. : 5IN00004*AD
THIS FINAL ACTION NOT PRECEDED BY PROPOSED ACTION AND IS APPEALABLE
TO ERAC.

PUBLIC NOTICE

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO
ABER'S GARAGE, INC.**

On October 28, 2009, Ohio EPA issued final Findings and Orders to Aber's Garage, Inc. for its facility located at 1729 Claremont Avenue, Ashland, Ohio 44805. This facility is a conditionally exempt small quantity generator of hazardous waste and failed to evaluate such waste , including fifteen drums containing unknown waste. The EPA I.D. number for this facility is OHD987030368.

Aber's Garage, Inc. must achieve compliance with Chapter 3734 of the ORC and 3745 of the OAC 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: November 4, 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 extract the No. 9 coal seam using conventional and auger mining methods. The application was submitted by Valley Mining, Inc., 4412 Pleasant Valley Road SE, Dennison, Ohio 44621. The project is located in Belmont County, Washington Township, Section 16, T-5, R-4 on the property of David P. and Cindy A. Conway. The Pittsburgh District Corps of Engineers Public Notice Number for this project is 09-50. The Ohio EPA ID Number for this project is 093548.

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 1,561 linear feet of intermittent stream channel and 308 linear feet of ephemeral stream channel. The applicant's proposed minimal degradation alternative, if approved, would impact 1,561 linear feet of intermittent stream channel. 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 Captina Creek Drainage Basin. 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 November 4, 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.

**Butler, Clermont, Clinton, Hamilton,
and Warren Counties**

**Public Notice
Ohio Environmental Protection Agency
Redesignation and Maintenance Plan for the Cincinnati-
Hamilton Ozone Basic Nonattainment Area**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, (Ohio EPA) is requesting that the United States Environmental Protection Agency (U.S. EPA) revise the current air quality designation for the Cincinnati-Hamilton area, including Butler, Clermont, Clinton, Hamilton, and Warren counties to attainment with respect to the 1997 eight-hour ozone national ambient air quality standard (NAAQS). Air quality monitoring data collected in the region demonstrate attainment of the NAAQS and there is evidence that the improved air quality is due to permanent, enforceable emission reductions. In addition, existing requirements are sufficient to maintain the 1997 eight-hour ozone standard in this area at least ten years into the future.

Computer models show that existing state and federal emission reduction requirements are sufficient to attain and maintain the NAAQS in the Cincinnati-Hamilton area. Therefore, Ohio EPA proposes to utilize existing emission inventory information and projections of future emissions as the demonstration of the ability to maintain the NAAQS in the Cincinnati-Hamilton area in the future.

The Cincinnati-Hamilton area is currently designated as basic nonattainment for the 1997 eight-hour ozone standard. As part of an acceptable maintenance plan, Ohio EPA is required to develop a contingency plan to provide for additional emission reductions if a violation of the NAAQS is monitored after the area has been redesignated. The plan which Ohio EPA is proposing to USEPA as part of this redesignation SIP contains reductions which will help alleviate the ambient problem until a revised SIP can be developed.

The State of Ohio proposes to:

1. Request the U.S. EPA redesignate the Cincinnati-Hamilton area to attainment with respect to the 1997 eight-hour ozone NAAQS and revise the maintenance plan. This request will document that existing enforceable control measures are responsible for the observed improvement in air quality.
2. Designate existing controls as sufficient to maintain the NAAQS into the future.
3. Commit to the proposed contingency plan.

These actions must be noticed to allow public comment and to satisfy U.S. EPA requirements for public involvement in SIP related activities. This notice addresses Ohio EPA's reliance on the emission projections as evidence of attainment and maintenance and the commitment to institute contingency measures if ambient exceedances or violations trigger the contingency plan requirements. Written comments will be received on or before December 11, 2009 at the following address:

E-mail: sarah.vanderwielen@epa.state.oh.us

Mailing address: Sarah VanderWielen
Ohio Environmental Protection Agency, DAPC
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049
Phone: (614)- 728-1743

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on this redesignation request will be conducted as follows: December 9, 2009 at 2:30 P.M., at Hamilton County Department of Environmental Services located at 250 William Howard Taft Road, Cincinnati, Ohio.

All interested persons are entitled to attend or be represented at the hearings and give written or oral comments on these changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or to the above address by the close of business on December 11, 2009 will be considered by Ohio EPA prior to final action on this redesignation. Written statements submitted after December 11, 2009 may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

This redesignation and maintenance request is available on Ohio EPA DAPC's Web page for electronic downloading. The URL is: <http://www.epa.ohio.gov/dapc/SIP/1997.aspx>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about this document should be directed to either Sarah VanderWielen, (614)-644-3632, sarah.vanderwielen@epa.state.oh.us or Jennifer Hunter at (614) 644-3696, Jennifer.hunter@epa.state.oh.us or mailed to Sarah VanderWielen or Jennifer Hunter at the above address.

Date of Public Notice: November 7, 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 certification for the subject transportation project. The proposed project, HAS-9-13.72, PID 78075 will replace an existing field culvert and an existing roadway culvert on State Route 9 over two unnamed tributaries to Clear Fork in Harrison County. A segment of an unnamed tributary that runs parallel to the SR 9 will be relocated away from the road to meet current design standards. The application was submitted by the Ohio Department of Transportation (ODOT) 1980 West Broad Street, Columbus, Ohio 43223. The Ohio EPA ID Number for this project is 093569.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The Preferred Alternative, if approved, would impact a total of 267.5 linear feet of provisional MWH and Modified Class II PHWH streams by the placement of these streams into new culverts. No wetlands will be impacted by the Preferred Alternative project. The applicant's proposed minimal degradation alternative (the proposed build alternative), if approved, would impact 267.5 linear feet of provisional MWH and Modified Class II PHWH streams by the placement of one stream through the new culvert and one stream being relocated away from the road. The minimal degradation includes the relocation of a portion of the stream outside of the roadway embankment and would maintain this as an open stream channel rather than placing it in a culvert. The Minimal-Degradation Alternative would have no impact on wetlands. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands but would not meet the purpose and need for the project.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Clear Creek watershed (HUC 05040001). The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). 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. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting November 7, 2009, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, 50 West Town Street Suite 700, Columbus, Ohio 43215, 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 30 days of the date of this public notice.

PUBLIC NOTICE

**OHIO EPA APPROVES CLOSURE PLAN FOR
DOW CHEMICAL COMPANY**

On November 3, 2009, Ohio EPA approved a closure plan for Dow Chemical Company for two (2) hazardous waste boilers located at 925 Road 1A, Ironton, Ohio 45638. The EPA I.D. number for this facility is OHD039128913.

Pursuant to Ohio Revised Code rule 3745-55-11, the facility's closure plan received on November 12, 2008 and revised on December 15, 2008, was approved as outlined in the Director's November 3, 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: November 4, 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 impacting wetlands for the construction of single family homes in Squires Estates Subdivision. The application was submitted by Dennis Oranski, Breezethrough Inc., 8934 Brecksville Road #408, Brecksville, OH 44141. The project is located along Glenwood Boulevard, in Reminderville, Ohio 44202. The Buffalo District Corps of Engineers Public Notice Number for this project is 2004-00951. The Ohio EPA ID Number for this project is 083444.

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 impacts to 0.19 acres of wetland and 70 linear feet of stream. The applicant's proposed minimal degradation alternative, if approved, would result in impacts to 0.185 acres of wetland and 50 linear feet of stream. 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 Pond Brook Watershed. 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 November 4, 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.