

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

February 10, 2010

**Notice of Final Rule-making**

Notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Drinking and Ground Waters (DDAGW) adopted revisions to rules of the Ohio Administrative Code (OAC) which establish primary drinking water standards. The revisions are, in part, a result of the five year rule review requirements of Section 119.032 of the Revised Code.

The division proposed revisions to OAC rules 3745-81-11, 3745-81-19 and 3745-81-26. The revisions will:

- 1) revise the designation of vulnerability to beta/photon radioactivity contamination from sources identified within a one mile radius to those within the source water assessment and protection (SWAP) area;
- 2) update references to more recent versions of ANSI/NSF standards;
- 3) make corrections required by U.S. EPA for primacy; and eliminate reference to past dates and update addresses.

The Director of Environmental Protection, after considering public comment, adopted these rules in final form, pursuant to Section 6109.04 of the Ohio Revised Code. The Director's order of adoption was issued on February 10, 2010. The effective date of these new rules will be February 22, 2010, in accordance with Section 119.04(A) of the Revised Code.

A copy of the rules may be obtained, at cost, by contacting the Hearing Clerk, Ohio EPA, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, Ohio 43216-1049, or (614) 644-2129. These rules are also available electronically at the following internet address: <http://epa.ohio.gov/ddagw/rulemaking.aspx#final>.

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, made payable to "Ohio Treasurer Kevin L. Boyce," 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**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
***Ryan Homes, Former Dilley Sand Pit Property***

Notice is hereby given that on February 8, 2010, 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 Ryan Homes for property known as the Former Dilley Sand Pit property (the "Property").

Ryan Homes conducted a voluntary action of the approximately 4.24 acre-Property, which is located at 10207 State Route 43, Streetsboro, Portage County, Ohio. A no further action letter for the Property was submitted on February 27, 2008 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response by Mr. Steve Gross, a Certified Professional as defined in ORC 3746.01(E) and OAC 3745-300-01(A).

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 or issuance of the action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," 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: 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 the 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**

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

Notice is hereby given that on February 8, 2010, 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 ISSUANCE OF AN AMENDED CERTIFICATE OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE**

Notice is hereby given that on February 8, 2010; the director of Ohio EPA issued an amended infectious waste transporter certificate to Daniels Sharpsmart Inc, 135 S LaSalle St Ste 2850, Chicago, IL 60603, Reg. No. 00-T-00278. 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**  
**COVENANT NOT TO SUE / FINAL FINDINGS AND ORDERS**  
***City of Columbus / Wheatland Avenue Site***

Notice is hereby given that on February 10, 2010, 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 Columbus (volunteer) for property known as the Wheatland Avenue Site.

The volunteer conducted a voluntary action at the approximately 20.1-acre property, which is located on the east side of Wheatland Avenue, north of West Broad Street, Columbus, Franklin County, Ohio. A no further action letter for the property was issued on February 26, 2009 and submitted on March 19, 2009 to the Voluntary Action Program of the Ohio EPA, Division of Emergency and Remedial Response by Jeffrey P. Hullinger, a certified professional (CP) as defined in ORC 3746.01(E) and OAC 3745-300-01(A). The CP issued addenda to the NFA letter on July 13, 2009, December 14, 2009 and January 20, 2010.

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, made payable to "Ohio Treasurer Kevin Boyce," 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 Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, OH 43215.

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, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
*Toledo-Lucas County Port Authority*  
*Former Toledo Coke Corporation I Property*

Notice is hereby given that on February 10, 2010, 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 Toledo-Lucas County Port Authority, the "Volunteer" for property known as the former Toledo Coke Corporation I Property (the "Property").

The "Volunteer" conducted a voluntary action of the approximately 4.656-acre Property, which is located at 2563 Front Street, Toledo, Lucas County, Ohio. A no further action letter for the Property was submitted on November 4, 2008, to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response by Michael Coonfare, a Certified Professional as defined in ORC 3746.01(E) and OAC 3745-300-01(A).

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 or issuance of the action. The appeal must be accompanied by a filing fee of \$70, made payable to "Ohio Treasurer Kevin Boyce," 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: 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 the 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**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
**Cuyahoga County Board of Commissioners and Union Miles Development Corporation**  
**Miles Shopping Plaza Property**

Notice is hereby given that on February 11, 2010, 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 Cuyahoga County Board of Commissioners and Union Miles Development Corporation, the Volunteers for property known as Miles Shopping Plaza Property (the "Property").

The Volunteers conducted a voluntary action of the approximately 1.3894 acre-Property, which is located at 13109, 13201, 13205 Miles Avenue and 4147, 4159, 4141 East 131<sup>st</sup> Street, Cleveland, Cuyahoga County, Ohio. A no further action letter for the Property was submitted on March 13, 2009 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response by Mr. Michael Coonfare, a Certified Professional as defined in ORC 3746.01(E) and OAC 3745-300-01(A).

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 or issuance of the action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," 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: 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 the 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 January 29, 2010, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code (AORC@) 3746.04(B)(5) and Ohio Administrative Code (AOAC@) 3745-300-05, issued a renewal of certification to the following Certified Professionals: **Craig Cox, CP189, Jennifer Krueger, CP274, Stephen Sebesta, CP308, and Eric Showalter, CP278.**

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 (ACommission@). 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.

**Date of Public Notice: February 9, 2010**

**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 placement of a maximum of 910 tons of large stone around the perimeter of an existing timber crib pier on the Lake Erie shoreline. The application was submitted by Compass Rose Condominium Unit Owners Association, c/o Dr. Garron Weiker, President, 20847 Fawnhaven Drive, North Royalton, Ohio 44133. The project is located along the Lake Erie shoreline at 4600 Compass Rose, Vermilion, Ohio 44089. The Buffalo District Corps of Engineers Public Notice number for this project is 2007-01032. The Ohio EPA ID Number for this project is 093578.

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 315 cubic yards (cy) of large stone to be placed below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade along 182 feet of existing crib pier perimeter.

The applicant's proposed Minimal Degradation Alternative, if approved, would result in a total of 144 cy of deteriorated stone-filled timber crib pier to be removed and 148 cy of new steel stone-filled crib pier to be added below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade along 91 feet of pier centerline. 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 February 9, 2010, 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 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.

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 Director Issues Final Findings and Orders for the  
Georgia Pacific Resins facility, 1975 Watkins Road  
Columbus, Franklin County, Ohio**

On February 9, 2010, the Director of the Ohio Environmental Protection Agency (Ohio EPA) issued as a final action Director's Final Findings and Orders (DFFOs) to Georgia-Pacific Chemicals LLC of Atlanta, Georgia, for certain Remedial Design and Remedial Action activities at the Georgia-Pacific Resins, Inc. facility located at 1975 Watkins Road in the City of Columbus, Franklin County, Ohio (Site).

The DFFOs require the implementation of the Decision Document issued by Ohio EPA on October 31, 2006, including the following actions:

- The recording of an environmental covenant to prohibit excavation and structures on the closed landfill;
- The maintenance of engineering controls on the landfill, two recovery trenches and collection sumps, and a wastewater biological pretreatment pond (bio-pond);
- The decommissioning of the bio-pond when no longer used for manufacturing operations at the Site, in accordance with an OEPA-approved decommissioning plan; and
- The implementation of an OEPA-approved O&M Plan for the landfill, trenches and sumps, and the bio-pond, and the periodic sampling of six ground water monitoring wells.

The DFFOs also require reimbursement of Ohio EPA's past and future response costs incurred in connection with the Site.

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 located at 309 South Fourth Street, Room 222, Columbus, Ohio (43215).

A copy of the DFFOs is available for review at Ohio EPA's Central District Office, 50 West Town Street, Columbus, Ohio, by calling (614) 728-3778 for an appointment.

**PUBLIC NOTICE**

**Ohio EPA Director Issues Final Findings and Orders for the  
Georgia Pacific Resins facility, 1975 Watkins Road  
Columbus, Franklin County, Ohio**

On February 9, 2010, the Director of the Ohio Environmental Protection Agency (Ohio EPA) issued as a final action Director's Final Findings and Orders (DFFOs) to Georgia-Pacific Chemicals LLC of Atlanta, Georgia, for certain Remedial Design and Remedial Action activities at the Georgia-Pacific Resins, Inc. facility located at 1975 Watkins Road in the City of Columbus, Franklin County, Ohio (Site).

The DFFOs require the implementation of the Decision Document issued by Ohio EPA on October 31, 2006, including the following actions:

- The recording of an environmental covenant to prohibit excavation and structures on the closed landfill;
- The maintenance of engineering controls on the landfill, two recovery trenches and collection sumps, and a wastewater biological pretreatment pond (bio-pond);
- The decommissioning of the bio-pond when no longer used for manufacturing operations at the Site, in accordance with an OEPA-approved decommissioning plan; and
- The implementation of an OEPA-approved O&M Plan for the landfill, trenches and sumps, and the bio-pond, and the periodic sampling of six ground water monitoring wells.

The DFFOs also require reimbursement of Ohio EPA's past and future response costs incurred in connection with the Site.

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, made payable to "Ohio Treasurer Kevin Boyce," 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 located at 309 South Fourth Street, Room 222, Columbus, Ohio (43215).

A copy of the DFFOs is available for review at Ohio EPA's Central District Office, 50 West Town Street, Columbus, Ohio, by calling (614) 728-3778 for an appointment.

**Date of Public Notice: February 9, 2010**

**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 construction of a shore connected breakwater and pier. The application was submitted by Mr. Craig McAllester and is located along Lake Erie at 32160 Lake Road, Avon Lake, Ohio 44012. The Buffalo District Corps of Engineers Public Notice Number for this project is 2006-01788. The Ohio EPA ID Number for this project is 062957.

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 place 781 cubic yards (CY) of armor stone and concrete rubble below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade. This alternative consists of 130 linear feet (LF) of armor stone shore protection and an L-shaped shore connected pier extending 110 LF northward into Lake Erie, and would occupy a total of 17,897 square feet (SF) of lands presently lying below the OHW.

The applicant's proposed Minimal Degradation Alternative, if approved, has already been implemented, and resulted in placement of 539 CY of armor stone and concrete rubble below the plane of ordinary high water (OHW = 573.4 feet IGLD 1985) and above existing grade. The Minimum Degradation Alternative consists of an L-shaped shore connected pier extending 60 LF northward into Lake Erie and occupies 8,378 SF of lands presently lying below the 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 February 9, 2010, 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 CLASS 2 MODIFIED HAZARDOUS WASTE PERMIT**

On February 10, 2010, Ohio EPA issued a modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Envirosafe Services of Ohio, Inc. for its facility at 876 Otter Creek Road, Oregon, Ohio 43616. The EPA Identification Number for this facility is OHD045243706.

**Why is Envirosafe Services of Ohio, Inc. modifying its Permit?**

Envirosafe Services of Ohio, Inc. (Envirosafe) is permitted to operate a hazardous waste landfill and other related hazardous waste management units at its facility. Envirosafe wishes to lower the final height of the authorized Cell M landfill disposal cell from 714 feet MSL to 700 feet MSL. The consequences of this change include a reduction of the available airspace for waste disposal in the landfill and a need to revise technical drawings and technical information in the Permit application. This final modified permit will allow Envirosafe to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

**Can I appeal this final modified Permit?**

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

**If I decide to appeal this final modified Permit, how and when must I make the appeal?**

If you file an appeal, you must put it in writing no later than **March 15, 2010**. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. 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. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. You must file your appeal, according to Ohio Revised Code § 3745.04 with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Chris Korleski, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

## Washington County

### **PUBLIC NOTICE OHIO EPA ISSUES DRAFT HAZARDOUS WASTE PERMIT MODIFICATION**

On February 11, 2010, Ohio EPA issued a draft hazardous waste facility installation and operation permit (Permit) modification to Cytec Industries, Inc.(Cytec) for its facility at 1405 Greene Street, Marietta, Ohio 45750. The EPA Identification Number for this facility is OHD004341509.

#### **Why is Ohio EPA Initiating a Modification to Cytec's Permit?**

Cytec is a former speciality chemical manufacturing plant. Operations at the facility have ceased and Cytec is currently performing investigation and cleanup of waste areas at the site. Ohio EPA is initiating this draft modification to authorize Cytec to implement corrective measures in accordance with the Statement of Basis (SB) and Scope of Work. The proposed permit modification language is included in Module E-Corrective Action Requirements Section of the draft permit, and will become an enforceable term and condition of the permit. The draft permit modification contains the conditions under which the facility must operate if the Permit receives final approval. Details about this draft action can be viewed on Ohio EPA's website under Stakeholders Involvement at <http://web.epa.state.oh.us/dhwm/>

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

Ohio EPA will hold the public meeting on **March 18, 2010**, at 6:00 p.m. It will be held at the Washington State Community College, Community Room, 710 Colegate Drive, Marietta, Ohio 45750; (740) 374-8716. Comments may be submitted to Ohio EPA, Lazarus Government Center, 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)

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

You can submit written comments anytime between **February 12, 2010 and March 29, 2010**. Send your comments to Ohio EPA, Lazarus Government Center, 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 modification and Statement of Basis material?**

You can review these at one of the following locations:

**Washington County Public Library**, 615 Fifth Street, Marietta, Ohio 45750, (740) 373-1057;

**Ohio EPA - Southeast District Office**, 2195 Front Street, Logan, Ohio 43138, (740) 385-8501; 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 draft Permit modification and 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 draft Permit. If you commented on the draft Permit, Ohio EPA will send you copies of the "response to public comments" and the final permit decision.

**PUBLIC NOTICE  
OHIO EPA RECEIVES AMENDED HAZARDOUS WASTE POST-  
CLOSURE PLAN**

On January 25, 2010, Ohio EPA received an amended hazardous waste closure/post-closure plan from Evergreen Recycling & Disposal Facility (Evergreen) for its landfill unit located at 2625 East Broadway, Northwood, Ohio 43619. The EPA Identification Number for this facility is OHD068111327.

**Why is Evergreen Submitting this Closure Plan?**

At the request of Ohio EPA, Evergreen submitted this closure/post-closure plan. This document describes required closure activities and identifies the closure units, including: the interim status landfill; the drum unloading dock; the storm water runoff tank storage; and the laboratory wastewater tank. Multiple steps are described for the closure of the landfill and are explained in detail. Also, the plan describes the closure of structures associated with the landfill. Closure objectives are discussed, which include: 1) control of contaminants migration from the closure units; 2) control of surface water infiltration into the hazardous waste landfill cell; and, 3) maintenance of final cover integrity by prevention of erosion. Finally, revisions are incorporated into the facility's ground water monitoring plan.

**When and how do I submit written comments about this Closure Plan?**

You can submit written comments anytime between February 10, 2010 and March 12, 2010. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services Section, P.O. Box 1049, Columbus, Ohio 43216, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail address: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us)

**Where can I review the Closure Plan?**

You can review the Closure Plan at the following locations:

**Ohio EPA, Northwest District Office**, 347 North Dunbridge Road, Bowling Green, Ohio 43402, tel: (419) 352-8461; and,

**Ohio EPA, Division of Hazardous Waste Management**, 20 West Town Street, Suite 700, Columbus, Ohio 43215 (614) 644-2977.

