

## **PUBLIC NOTICE**

### **FINAL ISSUANCE OF RENEWAL CERTIFICATE OF REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE**

Notice is hereby given that on February 16, 2010; the director of Ohio EPA issued an infectious waste generator certificate to Lyric Health Care Holdings III Inc, 7150 Columbia Gateway Dr, Columbia MD 21046, Reg. No.: 00-G-01347. 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.

**Belmont County**

**Date of Public Notice: February 25, 2010**

**PUBLIC NOTICE  
RESCHEDULED PUBLIC HEARING DATE AND CHANGE OF LOCATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to expand coarse and fine coal refuse disposal at The Ohio Valley Coal Company Powhatan No. 6 Mine. The application was submitted by Civil and Environmental Consultants on behalf of the Ohio Valley Coal Company, 56854 Pleasant Ridge Road, Alledonia, Ohio 43902. The project is located in Washington Township, Belmont County, Ohio in the Casey Run watershed between State Route 148 and Pleasant Ridge Road, about 1.5 miles west of Alledonia, Ohio. The Ohio Department of Natural Resources Permit Number for this project is D-360-14. The Pittsburgh District of the U.S. Army Corps of Engineers' Public Notice Number for this application is 04-38. The Ohio EPA ID Number for this project is 093558.

The discharges of dredged or fill material from the construction of the #3 slurry impoundment, if approved, would result in degradation to, or lowering of, the water quality of Casey Run and its tributaries in the Captina Creek watershed.

Ohio EPA, in conjunction with the Pittsburgh District of the U.S. Army Corps of Engineers, has rescheduled the public information session and public hearing relative to issues of lower water quality to March 30, 2010 beginning at 6:00 p.m. at the James Carnes Center, 45300 Roscoe Road, St. Clairsville, Ohio 43950. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

Persons wishing to be on Ohio EPA's interested parties' mailing list for this project, or wish to submit 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 by the close of business on April 9, 2010.

**Date of Public Notice: February 19, 2010**

**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 water quality certification for a project Stormwater Outfall Modification. The application was submitted by City of Defiance. The project is located at 3156 Baltimore Street, Defiance, OH 43512. The Buffalo District Corps of Engineers Public Notice Number for this project is 2009-01417. The Ohio EPA ID Number for this project is 093562.

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 occur below the OHWM associated with the Maumee River. The permanent impacts to waters of the U.S. will be less than or equal to 500 square feet. The approximate length of the project is 35 feet. Earthwork may be required within the project area along the steep alluvial banks to allow for access of construction materials to lower portions of the project area. The proposed project has cited the storm water outfall within the flat alluvial floodplain terrace associated with the Maumee River. This terrace provides a flat and broad area to allow for construction, while also allowing for suitable area to address energy reduction of captured storm water prior to discharge to the Maumee River. The applicant's proposed minimal

degradation alternative, if approved, would locate the outfall above the OHWM of the Maumee River. Unfortunately, the preferred alternative has located the outfall as far back on the existing floodplain terrace as possible. Therefore, placement of the outfall pad on the steep slope above this flat terrace would result in increased velocity of storm water. In addition, by placing the outfall pad further back from the existing water line, the project would increase risks of erosion and sediment inputs to the river, as well as potentially undermine the stability of the outfall structure over the long-term. 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 Maumee River. 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 19, 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.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on April 8, 2010 at 6:30 p.m. at City of Defiance Municipal Building , Community Room, 631 Perry Street, Defiance, OH 43512. 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 April 15, 2010. 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.

**Date of Public Notice: February 16, 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 the addition of a new water based theme ride to the Cedar Point Amusement Park aptly named "Shoot the Rapids". In order to properly support the ride structure portions of a lagoon system need to be permanently filled with clean compactable earthen material. The application was submitted by Mr. Rob Decker of Cedar Fair Entertainment Company. The project is located within the Cedar Point Amusement Park in Sandusky Township. The Buffalo District Corps of Engineers Public Notice Number for this project is 2009-1106. The Ohio EPA ID Number for this project is 103598.

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 require two fill areas impacting a total of 0.20 acres of the lagoon system and 0.023 acres of impact to an isolated Category One wetland. The applicant's proposed minimal degradation alternative, if approved, would require one fill area impacting a total of 0.14 acres of the lagoon system and 0.023 acres of impact to an isolated Category One wetland. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state as it is a "no-build."

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the lagoon system and an isolated wetland which lie in the watershed 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 16, 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.

**Pickaway County**

**Date of Public Notice: February 25, 2010**

**PUBLIC NOTICE  
ISSUANCE OF DRAFT PERMIT TO INSTALL AND NPDES PERMIT**

Notice is hereby given that on February 25, 2010, the Director of the Environmental Protection Agency will issue a draft National Pollutant Discharge Elimination System (NPDES) permit renewal (4IF00001) to E.I. du Pont de Nemours & Company, P.O. Box 89, Circleville, Ohio 43113. The draft permit is for the discharge from the DuPont Circleville Ohio Plant located at 800 DuPont Road, Circleville, Pickaway County, Ohio. "Draft Actions" are written statements of the Director's intent with respect to the issuance, denial, etc. of a permit, license, order, etc. Interested persons may submit written comments regarding draft actions.

The discharges from the facility, if approved, would result in degradation to, or lowering of, the water quality of the Scioto River. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1-07, will not be exceeded.

In accordance with OAC 3745-1-05, Ohio EPA will provide an opportunity for public comment concerning this project. Comments received shall be considered by the Director before the draft action is issued as final. Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) submit comments for Ohio EPA's consideration or 3) request a public hearing must do so in writing to Ohio EPA-DSW, Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on March 29, 2010.

**Summit County**

**Ohio EPA PTI No. 736960**

**Ohio Environmental Protection Agency Draft Permit to Install and Public Hearing**

**PUBLIC NOTICE**

Draft Permit to Install for wastewater treatment and/or disposal facilities

Ohio Environmental Protection Agency  
Permits Processing Unit  
50 West Town Street  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
(614) 644-2001

Public Notice No. 10-02-058  
Date of Issue of Public Notice: February 26, 2010

Name and Address of Applicant: Cuyahoga Valley National Park, 15610 Vaughn Road, Brecksville, Ohio 44141

Project: Sanitary Sewer Collection and Wetland Treatment System for Cuyahoga Valley National Park/Boston Mills Historic District

Public notice is hereby given that Ohio Environmental Protection Agency (Ohio EPA)- Division of Surface Water (DSW) has issued a draft permit-to-install (PTI) for the construction of the wastewater treatment works/disposal system for the above referenced project.

Ohio EPA will provide an opportunity for public comment concerning this project. Comments received shall be considered by the Director before the draft action is issued as final. A public hearing has been scheduled for 6:30 p.m. on March 31, 2010 at the Boston Township Hall, 1775 Main Street, Peninsula, Ohio 44264. The public hearing will end when everyone in attendance has had an opportunity to provide testimony related to the project. All interested persons are entitled to attend or be represented and give oral or written comments on the 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 draft permit. Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, or 2) submit comments for Ohio EPA's consideration must do so in writing to Ohio EPA-DSW, Permits Processing Unit, P.O. Box 1049, Columbus,

Ohio 43216-1049 by the close of business on April 7, 2010. Comments received after this date may not be considered as part of the official record of this hearing.

Copies of the draft Permit to Install and technical support information may be reviewed and/or copies made at the Ohio EPA Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087 by first calling 330-963-1200 to make an appointment.

## **Tuscarawas County**

**Date of Public Notice: February 8, 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 a project to surface strip mine a 127.2-acre site (under the minimal degradation alternative). The application was submitted by Oxford Mining Company, 544 Chestnut Street, Coshocton, Ohio 43812. The project is located in Sections 21 and 22 of Rush Township, in Tuscarawas County, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is LRH-2008-00897-TUS UNTribe Crooked Creek. The ODNR application number is 10420. The Ohio EPA ID Number for this project is 103594.

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 require 140.1 acres and impact 765 feet of perennial stream, 1,927 feet of intermittent stream, 2,142 feet of ephemeral stream (4,834' total) and 0.12 acres of jurisdictional wetlands. The applicant's proposed minimal degradation alternative, if approved, would impact 1,777 feet of intermittent stream and 1,972 feet of ephemeral stream (3,749' total). The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Crooked Creek and the Tuscarawas River. 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 8, 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.