

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
City of Toledo, Toledo-Lucas County Port Authority
Arena District Project

Notice is hereby given that on April 29, 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 Toledo, and Toledo-Lucas County Port Authority, the "Volunteers" for property known as Arena District Property (the "Property").

The "Volunteers" conducted a voluntary action of the approximately 55 acre-Property, which is located at 1 Main Street, Toledo, Lucas County, Ohio. A no further action letter for the Property was submitted on February 27, 2009 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response by Michael Coonfare, and William Rish, Certified Professionals as defined in ORC 3746.01(E) and OAC 3745-300-01(A).

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 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 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
FINAL ACTIONS OF THE DIRECTOR
ISSUANCE OF CERTIFICATES TO REPAIR TECHNICIANS 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 3745-26-16, has issued certificates to perform work as a Certified Repair Technician under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the repair technicians listed below. All certificates are issued 5/3/2010.

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. 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 at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

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FIRST	LAST	CITY	STATE
JASON	BATES	GARRETTSVILLE	OH
MICHAEL J.	HERSH	ORANGE	OH
MIKE	MUNGER	NORTH RIDGEVILLE	OH
JERRY N.	THOMAS	AKRON	OH

**PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
INITIAL CERTIFICATION OF ENVIRONMENTAL PROFESSIONAL
UNDER OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on May 3, 2010, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code (ORC) 3746.04(B)(5) and Ohio Administrative Code (OAC) 3745-300-05, issued an initial certified professional certification to: **Mr. James R. Hathaway CP324, and Mr. Edward A. Council, III, CP325.**

The issuance of the 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 ("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 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 the 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.

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
City of Greenville, Former Corning Glass Co. Property

Notice is hereby given that on May 3, 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 Greenville, (the “Volunteer”) for property known as the Former Corning Glass Company Property (the “Property”).

The Volunteer conducted a voluntary action of the 34.02 acre-Property, which is located at 1025 Martin Street, Greenville, Darke County, Ohio. A no further action letter for the Property was submitted on February 27, 2009 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response by Tom Mignery, 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 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 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 ENVIRONMENTAL PROTECTION AGENCY
RENEWAL OF CERTIFIED PROFESSIONALS UNDER OHIO’S VOLUNTARY
ACTION PROGRAM**

Notice is hereby given that on May 5, 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: **Eric Augustine CP255, Laura Funk CP286, Matthew Knecht CP105, David Mustafaga CP183, Jeff Paetz CP315, and David Peterson CP297.**

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 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 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.

Ashtabula County

Date of Public Notice: May 7, 2010

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

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has received an application for the modification of a National Pollutant Discharge Elimination System (NPDES) permit (3PE00002) for the discharge from the City of Ashtabula Wastewater Treatment Plant. The application was submitted by the City of Ashtabula, 303 Woodland Avenue, Ashtabula, Ohio 44004-3500.

The City of Ashtabula is requesting approval of a general mercury variance from the existing permit limitation of 1.3 ng/1 to 12 ng/1. The Ashtabula Wastewater Treatment Plant is located at 303 Woodland Avenue, Ashtabula, Ashtabula County, Ohio. The discharges are to Lake Erie. Other wastewater disposal alternatives resulting in lesser or no degradation or lowering of water quality will be considered by Ohio EPA.

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

Copies of the pending NPDES modification application are available for review at Ohio EPA's Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087 (330)963-1200. An Ohio EPA public hearing on the proposed project has been scheduled for 6:30 P.M. on June 29, 2010 at the Ashtabula City Hall, 4717 Main Avenue, Ashtabula, Ohio 44004. 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 written or oral 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

applications. Persons wishing to 1) be on the 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, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by close of business on July 6, 2010. Comments received after this date may not be considered as part of the official record.

Geauga County

Verified Complaint Public Notice

Dan and Sheryl Nellis
West Farmington, Ohio

On March 26, 2010, a verified complaint was filed with the Director of the Ohio Environmental Protection Agency. The complaint was filed by Mr. John Sagal and Mrs. JoAnn Sagal, 16829 Main Market Road, West Farmington, Ohio 44491. The complaint was filed against Dan and Sheryl Nellis, 16835 Main Market Road, West Farmington, Ohio 44491, alleging violations of Ohio Administrative Code Rule (“OAC”) Rule 3745-15-07, by causing a public nuisance resulting from the operation of the outdoor wood-fired boiler located on the Nellis’s property. Further information may be obtained and agency files and records pertaining to the proceedings may be inspected and copied by contacting the Ohio Environmental Protection Agency, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43216-1049, telephone number (614) 644-2270 or the Ohio EPA, Division of Air Pollution Control, Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087, telephone number (330) 963-1200. Any person may request notice concerning further actions pursuant to the complaint, including the outcome of the proceedings.

Miami County

**PUBLIC NOTICE
OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO
HARTZELL FAN, INC.**

On April 2, 2010, Ohio EPA issued final Findings and Orders to Hartzell Fan, Inc. located at 910 South Downing Street, Piqua, Ohio 45356. This facility is a large quantity generator of hazardous waste and stores such waste in a less than 90 day accumulation area pursuant to OAC 3745-66-76. The EPA I.D. number for this facility is OHD004271433.

Hartzell Fan, Inc. is exempt from the requirement to store hazardous waste at least fifty feet from the facility property line as long as the wastes are managed in the less than ninety-day accumulation area as defined in the orders. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

Trumbull County

Date of Public Notice: April 29, 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 construct the Kingston Commons residential development on a vacant 9-acre parcel of land in Howland Township. The application was submitted by Hunter Designs, LP, 8585 Hunters Trail, SE, Warran, Ohio 44484. The project is located north of the Warren Sharon Road /Hennhyde Road intersection, west of State Route 11, east of Avalon Lakes golf course. The Pittsburgh District Corps of Engineers is currently reviewing a Section 404 Individual Permit for this project. The Corps of Engineers' Public Notice for this 404 permit application (10-14) was issued on March 15, 2010. The Ohio EPA ID Number for this project is 093586.

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 the filling of 0.75 acre of wetlands and 481 linear feet of an ephemeral tributary to Mosquito Creek. The applicant's proposed minimal degradation alternative, if approved, would require the filling of 0.31 acre of wetlands and 481 linear feet of an ephemeral tributary to Mosquito Creek. 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 Mosquito Creek. 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 April 29, 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.

Wood County

**PUBLIC NOTICE
OHIO EPA APPROVES CLOSURE PLAN FOR
EVERGREEN RECYCLING**

On May 5, 2010, Ohio EPA approved a closure plan for Evergreen Recycling and Disposal for a closed hazardous waste landfill located at 2625 East Broadway, Northwood, Ohio 43619. The EPA I.D. number for this facility is OHD068111327.

Pursuant to Ohio Administrative Code rule 3745-66-11 & 18, the facility's closure plan received on January 25, 2010 and revised on February 9, 2010, was approved with modifications as outlined in the Director's May 5, 2010 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.