

**Before the Ohio Environmental Protection Agency  
Public Notice of Amendment, Adoption, and Rescission  
of Rules Governing Hazardous Waste Management**

Notice is hereby given that the Director of Environmental Protection, under the authority of the Ohio Revised Code (ORC) section 3734.12, has rescinded and adopted the rules of the Ohio Administrative Code listed here, as ordered on July 23, 2010:

Amended rules:	3745-50-10, 3745-50-11, 3745-50-19, 3745-50-21, 3745-50-24, 3745-50-27, 3745-50-29, 3745-50-30, 3745-50-38, 3745-50-39, 3745-50-41, 3745-50-42, 3745-50-43, 3745-50-44, 3745-50-45, 3745-50-51, 3745-50-53, 3745-50-58, 3745-50-62, 3745-51-02, 3745-51-03, 3745-51-04, 3745-51-05, 3745-51-06, 3745-51-09, 3745-51-23, 3745-51-31, 3745-51-33, 3745-52-10, 3745-52-11, 3745-52-12, 3745-52-34, 3745-52-44, 3745-52-53, 3745-52-56, 3745-54-01, 3745-54-03, 3745-54-15, 3745-54-16, 3745-54-52, 3745-54-56, 3745-54-72, 3745-54-73, 3745-54-77, 3745-54-97, 3745-54-98, 3745-54-99, 3745-54-100, 3745-54-101, 3745-55-11, 3745-55-13, 3745-55-15, 3745-55-20, 3745-55-40, 3745-55-42, 3745-55-43, 3745-55-45, 3745-55-47, 3745-55-51, 3745-55-91, 3745-55-92, 3745-55-93, 3745-55-96, 3745-55-98, 3745-56-21, 3745-56-23, 3745-56-51, 3745-56-80, 3745-57-03, 3745-57-04, 3745-57-06, 3745-57-40, 3745-57-43, 3745-57-47, 3745-57-72, 3745-57-74, 3745-57-75, 3745-57-81, 3745-57-83, 3745-57-84, 3745-65-01, 3745-65-11, 3745-65-15, 3745-65-16, 3745-65-52, 3745-65-56, 3745-65-72, 3745-65-73, 3745-65-90, 3745-65-93, 3745-66-11, 3745-66-12, 3745-66-13, 3745-66-15, 3745-66-20, 3745-66-40, 3745-66-42, 3745-66-43, 3745-66-44, 3745-66-45, 3745-66-47, 3745-66-74, 3745-66-91, 3745-66-92, 3745-66-93, 3745-66-95, 3745-66-96, 3745-66-98, 3745-66-101, 3745-67-21, 3745-67-28, 3745-67-55, 3745-67-59, 3745-67-80, 3745-68-03, 3745-68-05, 3745-68-16, 3745-69-30, 3745-69-41, 3745-69-43, 3745-69-44, 3745-69-45, 3745-205-100, 3745-205-101, 3745-256-101, 3745-266-20, 3745-266-80, 3745-266-102, 3745-266-103, 3745-266-104, 3745-266-107, 3745-266-109, 3745-266-111, 3745-266-201, 3745-266-202, 3745-266-203, 3745-266-205, 3745-266-210, 3745-266-260, 3745-270-01, 3745-270-04, 3745-270-07, 3745-270-09, 3745-270-40, 3745-270-42, 3745-270-45, 3745-270-48, 3745-270-49, 3745-273-01, 3745-273-04, 3745-273-09, 3745-273-13, 3745-273-14, 3745-273-32, 3745-273-33, 3745-273-34, 3745-273-60, 3745-279-01, 3745-279-11, 3745-279-42, 3745-279-43, 3745-279-51, 3745-279-52, 3745-279-62, 3745-279-73
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Rescinded rules:	3745-55-95, 3745-67-23
New rules:	3745-51-39, 3745-51-40, 3745-51-41, 3745-52-200, 3745-52-201, 3745-52-202, 3745-52-203, 3745-52-204, 3745-52-205, 3745-52-206, 3745-52-207, 3745-52-208, 3745-52-209, 3745-52-210, 3745-52-211, 3745-52-212, 3745-52-213, 3745-52-214, 3745-52-215, 3745-52-216, 3745-55-95, 3745-67-24, 3745-270-32

The primary purpose of this rule-making is to make these rules consistent with and equivalent to their federal counterpart rules as rescinded, created, or amended in the Federal Registers that discuss these concepts, as published in the public notice of proposal of these rules. These rules contain additional substantive and non-substantive amendments and corrections.

The Director of Environmental Protection, after considering public comment on the proposed hazardous waste management rules, adopted these rules in final form pursuant to ORC section 3734.12. The new and amended rules, and the rescission of the rescinded rules, will become effective on September 5, 2010 in accordance with ORC section 119.04(A).

These rules are available electronically from the Register of Ohio, and will remain available there for approximately ten months after their effective date. They may also be accessed at the Division of Hazardous Waste Management web site at [www.epa.ohio.gov/dhwm](http://www.epa.ohio.gov/dhwm) at the "Rules and Laws" icon.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to ORC Section 3745.04. The appeal must be in writing and must set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the ERAC within thirty days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, which the ERAC, in its discretion, may reduce if, by affidavit, you demonstrate that payment of the full amount of the fee would cause extreme hardship. The fee must be made payable to <sup>A</sup>Ohio Treasurer Kevin Boyce.<sup>@</sup> The appeal must be filed at this address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Notice of the filing of the appeal must be filed with the Director within three days after filing with the ERAC. Ohio EPA requests that a copy of the appeal also be served upon the Ohio Attorney General's Office, Environmental Enforcement Section.

**Division of Surface Water**  
 Credible Data Program  
 Qualified Data Collector Approvals  
 Effective on or after: 07/20/2010

<b>Name (QDC#) / Organization</b>	<b>Level and Specialty</b>	<b>Expiration Date</b>
Amy Mackey (#00146) ODNR/DMRM, Ohio University/ILGARD, Raccoon Creek Partnership	Level 3 - Chemical Water Quality Assessment	7/19/2012
Amy Rether (#00454) US Army Corps of Engineers, Franklin County Metro Parks	Level 1	
Carleigh Kennedy (#00461) Delaware Area Career Center	Level 1	
Christina Znidarsic (#00469) Lorain County	Level 1	
Claire Weldon (#00205) Cleveland Metroparks	Level 2 - Benthic Macroinvertebrate Assessment - Sample Collection, Identification, and Data Evaluation	7/19/2015
Cody Hull (#00456) Delaware Area Career Center	Level 1	
Cynthia Bauers (#00455) Kleski Environmental Consult, OU's Voinovich School of Leadership & Pub Affairs	Level 2 - Benthic Macroinvertebrate Assessment - Sample Collection, Identification, and Data Evaluation	7/19/2015
David Crews (#00437) Hocking College Watershed Mngmnt	Level 1	
Devin Brooks (#00436) Hocking College, Watershed Mngmnt	Level 1	
Dick Zimmerman (#00466) Ohio Lake Management Society	Level 1	

<b>Name (QDC#) / Organization</b>	<b>Level and Specialty</b>	<b>Expiration Date</b>
Elizabeth Williams (#00458) Delaware Area Career Center	Level 1	
Felicia Schirack (#00468) Montgomery Soil & Water Cons. Distr, Ohio Stream Quality Monitoring	Level 1	
Hannah Lubbers (#00274) 7/19/2015 Clermont Co., Office of Environmental Quality	Level 2 - Stream Habitat Assessment - HHEI Only	
Ian Peckham (#00462) Delaware Area Career Center	Level 1	
Jennifer Wallace (#00438) Hocking College Watershed Mngmnt	Level 1	
Jessica Cermelj (#00460) Delaware Area Career Center	Level 1	
Joseph Marshall (#00442) Hocking College Watershed Mngmnt	Level 1	
Kari Eldridge (#00441) Hocking College Watershed Mngmnt	Level 1	
Katie Taber (#00449) Hocking College Watershed Mngmnt	Level 1	
Kodey Honeter (#00465) Delaware Area Career Center	Level 1	
Lisa Pearsall-Myers (#00448) Hocking College Watershed Mngmnt	Level 1	
Lynn Parkins III (#00435) H.C. Watershed Mgmt, OEPA Intern	Level 1	

<b>Name (QDC#) / Organization</b>	<b>Level and Specialty</b>	<b>Expiration Date</b>
Mathew Edmonson (#00452) Hocking College Watershed Mngmnt	Level 1	
Matthew Martin (#00444) Hocking College Watershed Mngmnt	Level 1	
Michael Keney (#00443) Hocking College Watershed Mngmnt	Level 1	
Michael Wagner (#00434) Hocking College	Level 1	
Morgan Reiger (#00451) Hocking College Watershed Mngmnt	Level 1	
Rachel McClung (#00440) Hocking College Watershed Mngmnt	Level 1	
Raina Fulks (Ooten) (#00035) Meigs SWCD, Leading Creek Watershed Group	Level 2 - Chemical Water Quality Assessment	7/19/2015
Randy Smith (#00439) Hocking College Watershed Mngmnt	Level 1	
Rebecca Lawrence (#00446) Hocking College Watershed Mngmnt	Level 1	
Richard (Rick) Hurni (#00470)	Level 1	
Richard Kerrigan (#00472)	Level 1	
Robin Lucas (#00473) Hocking College Watershed Mngmnt	Level 1	

<b>Name (QDC#) / Organization</b>	<b>Level and Specialty</b>	<b>Expiration Date</b>
Samantha Stambaugh (#00459) Delaware Area Career Center	Level 1	
Shannon Bednar (#00474) Hocking College Watershed Management	Level 1	
Shawn Ford (#00450) Hocking College Watershed Mngmnt	Level 1	
Shelby Defibaugh (#00457) Delaware Area Career Center	Level 1	
Steve Eberts (#00453) Hocking College Watershed Mngmnt	Level 1	
Suzan Jervey (#00471) Ohio Wildlife Center (PT Employee) Franklin SWCD (Board Spvsr)	Level 1	
Theodore Nelson (#00464) Delaware Area Career Center	Level 1	
Thomas Thrush (#00447) Hocking College Watershed Mngmnt	Level 1	
Tim VanGundy (#00463) Delaware Area Career Center	Level 1	
Tyler Craig (#00445) Hocking College Watershed Mngmnt	Level 1	
William Trommer (#00467) Crystal Lake Recreation Assoc, Crystal Lake	Level 1	

**PUBLIC NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
**Killian Latex, Inc. for**  
**Former Kittinger Trucking/Killian Latex, Inc. Property**

Notice is hereby given that on July 22, 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 Killian Latex, Inc., for property known as Former Kittinger Trucking/Killian Latex, Inc. (the "Property").

Killian Latex, Inc. conducted a voluntary action of the approximately 15.0313 acre-Property, which is located at 2064 Killian Road, Akron, Summit County, Ohio. A no further action letter for the Property was submitted on November 6, 2009 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response by Jim Smith, 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 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 July 26, 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: **Atul Pandey (CP224), Dan Brown (CP127), Stephan Ryder (CP317) and John Garvey (CP118).**

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.