

**PUBLIC NOTICE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
RENEWAL OF CERTIFIED PROFESSIONALS UNDER OHIO'S VOLUNTARY  
ACTION PROGRAM**

Notice is hereby given that on December 14, 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: **Mr. Kevin Svitana (CP247)**.

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.

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

Notice is hereby given that on December 14, 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 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.

## CUYAHOGA COUNTY

**Date of Public Notice: December 10, 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 Euclid Creek and Dugway combined sewer overflow tunnels, tunnel dewatering pump station to pump the stored combined sewer overflow from the tunnels to the Easterly waste water treatment plant, and a 4160 volt electrical substation. The application was submitted by the Northeast Ohio Regional Sewer District. The project is located east of Interstate 90 and west of East 133<sup>rd</sup> Street and Kuhlman Avenue in Bratenahl. The Buffalo District Corps of Engineers Public Notice Number for this project is 2010-00435. The Ohio EPA ID Number for this project is 103707.

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 5.4 acres of category 2 mature forested wetland. The applicant's proposed minimal degradation alternative, if approved, would impact 4.2 acres of category 2 mature forested wetland. 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 Nine Mile Creek, a direct tributary to 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 December 10, 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 DECLARATION AND FINAL DECISION DOCUMENT FOR**  
**FORMER REILLY TAR & CHEMICAL FACILITY**

On December 16, 2010, Ohio EPA issued a Declaration and final Decision Document to the Former Reilly Tar and Chemical Corporation (Reilly Tar), currently known as Vertellus Specialties, Inc., located at 3201 Independence Road, Cleveland, Ohio 44105. The EPA Identification Number for this facility is OHD083320945.

**Why does Reilly Tar need a final Decision Document?**

The Decision Document identifies Ohio EPA's selected remedy for the site, and explains the reasons for the selection of the remedy. This Decision Document presents the selected remedial action for the site in accordance with the policies of the Ohio EPA and the statutes and regulations of the State of Ohio. The remedy includes the incorporation of an environmental covenant which restricts use of the property to industrial use only. An isolation barrier and down gradient monitoring well maintenance and periodic evaluation of ground water migration is also required as outlined in Section 4.2 of the Decision Document.

**Can I appeal this final Decision Document?**

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 the Decision Document, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

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

If you file an appeal, you must put it in writing no later than January 17, 2011. 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.

**LUCAS COUNTY**

**PUBLIC NOTICE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has issued as a final action an authorization to the Ohio Department of Transportation under Ohio Administrative Code 3745-27-13 to engage in filling, grading, and excavating activities for 2.6 acres of area located between the Northbound and Southbound Lanes of Interstate-75 in Toledo, Ohio, in an area adjacent to the former North Cove Landfill. The Ohio Department of Transportation's request for authorization is needed because of plans to improve surface water flow and minimize the potential for erosion to occur within this area of the highway. The site activities will include minimal excavation anticipated as only stripping of the vegetation, and the possible nominal undercutting of soft areas. The project will also involve soil fill within the center median of the project area between the north bound and south bound lanes. The maximum fill is estimated to be approximately 12 feet. Upon final grading, the topsoil will be replaced and the area seeded and mulched. The final area may include the installation of guardrail, highway surface water drainage and roadway signs.

The effective date of this action is December 16, 2010. The action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action. A copy of the appeal must be served upon the Director of Ohio EPA within three (3) days of filing at the ERAC. The ERAC's address is:

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

A copy of the Director's authorization may be obtained from the Division of Emergency and Remedial Response, Ohio EPA, P.O. Box 1049, OH 43216-1049 or Ohio EPA, Northwest District Office, 347 N. Dunbridge Road, Bowling Green, OH 43402.

## MAHONING COUNTY

**PUBLIC NOTICE**  
**Ohio EPA Director Issues**  
**Final Findings and Orders for**  
**Hilltop/Toth Landfill**  
**Canfield, Ellsworth Township, Ohio**

On April 15, 2010, the Director of the Ohio Environmental Protection Agency (Ohio EPA) issued as a final action Director's Final Findings and Orders to Browning-Ferris Industries of Ohio, Inc., of Phoenix, Arizona, to George and Patricia Kyprianou of Canfield, Ohio, and to the Arthur A. and Margaret Catherine Horvath Revocable Trust, of Richmond, Virginia, to implement a remedial investigation/feasibility study (RI/FS) at the Hilltop/Toth Landfill located on Canfield Road, Canfield, Ellsworth Township, Mahoning County, Ohio. The Director's Final Findings and Orders require the following actions: an investigation of the nature and extent of releases of contamination; an assessment of the risk to human health and the environment; and, the development and evaluation of potential remedial alternatives.

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

The Director's Final Findings and Orders, and related documents, are available for review at Ohio EPA's Northeast District Office located at 2110 East Aurora Road, Twinsburg, Ohio 44087, or by calling or e-mailing Site Coordinator Sheila Abraham at (330) 963-1290 or [Sheila.Abraham@epa.state.oh.us](mailto:Sheila.Abraham@epa.state.oh.us) for an appointment.

**PUBLIC NOTICE**  
**OHIO EPA RECEIVES RENEWAL HAZARDOUS WASTE PERMIT APPLICATION**  
**BRUSH WELLMAN, INC.**

On December 13, 2010, Ohio EPA received a Renewal Hazardous Waste Facility Installation and Operation Permit (Permit) Application from Brush Wellman, Inc. for its facility located at 14710 West Portage River South Road, Elmore, Ohio 43416. The EPA Identification Number for this facility is OHD004212999.

**Why does Brush Wellman, Inc. need a Permit for its Facility?**

Brush Wellman, Inc. manufactures and markets beryllium alloys, beryllium oxide and metallic beryllium. Brush Wellman, Inc. also generates hazardous wastes and store such waste in containers. The purpose of the Permit is to allow continued storage in containers at the facility. For the Permit application to receive final approval, Ohio EPA must determine that the Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws and demonstrates sufficient reliability, expertise and competency to operate a hazardous waste facility.

**Where can I review the Permit Application?**

You can review this document at the following locations:

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

***Ohio EPA, Division of Hazardous Waste Management***, 50 West Town Street, Suite 700, Columbus, Ohio 43215, (614) 644-2917.

Questions to the facility regarding the permit application should be addressed to: Troy Kajfasz, Brush Wellman, Inc., 14710 West Portage River South Road, Elmore, Ohio 43416 (419) 862-4247.