

NOTICE OF ADOPTION OF RULES
OHIO ENVIRONMENTAL PROTECTION AGENCY
Rules Governing
Surface Water Credible Data Program

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 6111.51 of the Ohio Revised Code and in accordance with Chapter 119 of the Revised Code, has adopted the following rules of the Ohio Administrative Code:

Rule #	Rule Title	Action
3745-4-01	Purpose and applicability.	Amend
3745-4-02	Definitions.	Amend
3745-4-03	Qualified data collectors.	Amend
3745-4-04	Level 1 data requirements and reporting.	Amend
3745-4-05	Level 2 data requirements and reporting.	Amend
3745-4-06	Level 3 data requirements and reporting.	Amend

The Director's order of adoption was issued on **June 30, 2011**. These adopted rules will become effective on **July 29, 2011**. To request a copy of these rules, write to Melinda Harris, Ohio Environmental Protection Agency, Division of Surface Water, P.O. Box 1049, Columbus, OH 43216-1049 or call Mrs. Harris at (614) 728-1357. A copy of the adopted rules is also available on the Ohio EPA Division of Surface Water website at www.epa.ohio.gov/dsw/.

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on May 24, 2011, and comments received during the public comment period.

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 Josh Mandel," 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
ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on June 27, 2011; the director of Ohio EPA issued seven certificates of registration as transporter of scrap tires to Environmental Rubber Recycling, 6515 N Dort Hwy, Flint, MI 48505. 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 at the following address:

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

**PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
MODIFICATION OF LABORATORY CERTIFICATION
UNDER
OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on June 29, 2011, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(6) and Ohio Administrative Code ("OAC") 3745-300-04, issued a modified laboratory certificate to Pace Analytical Services, Inc. ("Pace"), 1233 Dublin Road, Columbus, Ohio 43215 granting the laboratory's request to modify its certification under Ohio's Voluntary Action Program to include Total Petroleum Hydrocarbons, Heavy Distillates by method 8015B. The certification number assigned to Pace remains CL0054.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (the "Commission") pursuant to ORC Section 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 "Treasurer, State of Ohio" 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 (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 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 certificate, or any documents related to the laboratory's certification, please contact Ohio EPA, Division of Environmental Response and Revitalization, Site Assistance & Brownfield Revitalization, 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 7/1/2011.

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

FIRST	LAST	CITY	STATE
DALE M.	FLEMING	BEDFORD	OH

Date of Public Notice: June 30, 2011

**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 remove Township Road (TR) 150 bridge, replacement of the TR 391 bridge over the CSX mainline track and construction of the proposed 0.5 mile Erie Game Road. The application was submitted by CSX Transportation, Inc. (CSXT). The project is located approximately 0.6 mile north of US 224 and approximately 1.0 mile east of SR 58. The Buffalo District Corps of Engineers Public Notice Number for this project is 2010-01018. The Ohio EPA ID Number for this project is 103712 and 113761.

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 five forested wetlands, totaling 0.47 acres and five streams totaling 627 linear feet. The applicant's proposed minimal degradation alternative, if approved, would impact four forested wetlands, totaling 0.40 acres and five streams totaling 627 linear feet. 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 Black River watershed. 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 June 30, 2011, 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 RECEIVES AMENDED HAZARDOUS WASTE POST-CLOSURE PLAN

On June 20, 2011, Ohio EPA received an amended hazardous waste post-closure plan from Rickenbacker Air National Guard Base concerning the hazardous waste landfill located at Site 1 (Former Building 560 and Vicinity), Rickenbacker Air National Guard Base, Columbus, OH. The EPA Identification Number for this facility is OH3571924544.

Why is Rickenbacker Air National Guard Base submitting this Closure Plan?

At the request of Ohio EPA, Rickenbacker Air National Guard Base submitted this amended post-closure plan. This post-closure plan amendment includes but is not limited to the addition of six ground water monitoring wells to the current monitoring network.

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

You can submit written comments anytime between July 5, 2011 and August 4, 2011. Send your comments to Ohio EPA, Division of Materials and Waste Management, Attn: Processing & Records Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2621, fax number (614) 728-5315, e-mail address: dmwmcomments@epa.state.oh.us

Where can I review the Closure Plan?

You can review the Closure Plan at the following locations:

Ohio EPA, Central District Office, 50 West Town Street, Suite 700, Columbus, Ohio 43215, (614) 728-3778.

Ohio EPA, Division of Environmental Response and Revitalization, 50 West Town Street, Suite 700, Columbus, Ohio 43215, (614) 644-2924.

PUBLIC NOTICE

The following trade secret request was received, and the following final action was issued, by the Ohio Environmental Protection Agency (OEPA). "Actions" include the adoption, modification, or repeal of orders (other than emergency orders); the issuance, denial, modification or revocation of licenses, permits, leases, variances, or certificates; and the approval or disapproval of plans and specifications. "Final actions" are actions of the Director which are effective upon issuance or a stated effective date.

Pursuant to Ohio Revised Code Section 3745.04, a final action may be appealed to the Environmental Review Appeals Commission (ERAC) by a person who was a party to a proceeding before the Director by filing an appeal within 30 days of notice of the final action. Pursuant to Ohio Revised Code Section 3745.07, a final action issuing, denying, modifying, revoking or renewing a permit, license or variance which is not preceded by a proposed action, may be appealed to the ERAC by filing an appeal within 30 days of the issuance of the final action.

ERAC appeals accompanied by a \$70.00 filing fee which the Commission in its discretion may reduce if by affidavit the appellant demonstrates that payment of the full amount of the fee would cause extreme hardship, must be filed with: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. A copy of the appeal must be served on the Director within 3 days after filing the appeal with ERAC.

FINAL DENIAL OF TRADE SECRET REQUEST

KINECTRICS NORTH AMERICA, INC.
800 KIPPLING AVENUE
TORONTO, ON CANADA
FIRSTENERGY CORPORATION
76 SOUTH MAIN STREET
AKRON, OHIO
ACTION DATE : 06/27/2011

THIS FINAL ACTION WAS PROCEEDED BY THE SAME OR SUBSEQUENTLY THE SAME PROPOSED ACTION.