

State of Ohio
Environmental Protection Agency
Notice of Adoption of Rules
“Open Burning Regulations”

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rules 3745-19-01 to 3745-19-06 of the Ohio Administrative Code (OAC).

These rules are being adopted after a review to fulfill the requirements of Ohio Revised Code (ORC) 119.032 (5-yr review). The amended rule contain several minor changes and clarifications. The most predominant change is the removal of a requirement for law enforcement agencies to notify Ohio EPA for fires for the destruction of evidence, specifically seized marijuana.

A public hearing on this rule was held on March 9, 2012 in Columbus, Ohio. Comments were received on these rules, but no changes were made. A detailed response to comments document can be found at the website listed below.

The Director’s order of adoption was issued on May 17, 2012. **The effective date of these rules is Sunday, May 27, 2012.**

To request a copy of this rule, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding contact Mr. Lee Burkleca, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Lee Burkleca at (614) 728-1344. These rules are available on Ohio EPA’s Web page at: <http://www.epa.ohio.gov/dapc/regs/regs.aspx#open>.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Ohio Revised Code 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 ERAC within thirty (30) days after notice of the Director's action, at 77 South High Street, 17th Floor, Columbus, Ohio 43215. Copies of the appeal must be served upon the Director of the Ohio EPA within three (3) days of filing with ERAC. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.

PUBLIC NOTICE
FINAL ISSUANCE OF AMENDED CERTIFICATE OF
REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE

Notice is hereby given that on May 11, 2012; the director of Ohio EPA issued an amended infectious waste generator certificate to PlasmaCare, Inc, 4101 Research Commons, 79 TW Alexander Dr, Research Triangle NC 27709, Reg. No.: 00-G-01472. 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.

PUBLIC NOTICE
FINAL ISSUANCE OF AMENDED CERTIFICATE OF
REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE

Notice is hereby given that on May 11, 2012; the director of Ohio EPA issued an amended infectious waste generator certificate to Triad Isotopes Inc, 200 S Orange Ave Ste 2100, Orlando, FL 32801, Reg. No.: 00-G-01654. 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.

PUBLIC NOTICE
FINAL ISSUANCE OF A RENEWAL CERTIFICATE
OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE

Notice is hereby given that on May 14, 2012, the director of Ohio EPA issued a renewal infectious waste transporter certificate to Med/Dispose Inc dba Statewide Med Service, 3601 E 9th St, Indianapolis, IN 46201, ID No.: 00-T-00308. 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.

PUBLIC NOTICE
5/11/2012 Issuance of Draft Air Pollution Permit-To-Install and Operate

J & M MFG CO INC
284 RAILROAD ST,
Fort Recovery, OH 45846
Mercer County

FACILITY DESC.: Farm Machinery and Equipment Manufacturing
PERMIT #: P0109832
PERMIT TYPE: Initial Installation

PERMIT DESC: Initial installation permit for new spray paint booths (replacement/upgrade for old booths K011 and K012) - (large) farm equipment.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitsonline.aspx> by entering the permit # or: Andrea Moore, Ohio EPA DAPC, Northwest District Office, 347 North Dunbridge Road, Bowling Green, OH 43402. Ph: (419) 352-8461.

PUBLIC NOTICE
5/11/2012 Issuance of Draft Air Pollution Permit-To-Install and Operate

COL-PUMP COMPANY, INC.
131 EAST RAILROAD ST,
Columbiana, OH 44408
Columbiana County

FACILITY DESC.: Iron Foundries
PERMIT #: P0108012
PERMIT TYPE: Renewal

PERMIT DESC: Renewal Federally Enforceable Permit to Install and Operate for a gray iron foundry which includes the following emissions units: 2 cupolas, sand handling, shakeout, pouring and cooling, Wheelabrator shotblasting, Tumbblast shot blasting, and dip tanks. Includes an administrative modification to remove daily recordkeeping requirements for the dip tanks and include more detailed monthly requirements.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitsonline.aspx> by entering the permit # or: Megan Talcott, Ohio EPA DAPC, Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087. Ph: (330) 425-9171.

PUBLIC NOTICE
PORTABLE AIR CONTAMINANT SOURCE

Facility Description: Other Crushed and Broken Stone Mining and Quarrying

On 05/04/2012 the Director of the Ohio Environmental Protection Agency approved the request to relocate (REL02214) submitted by COMPLETE RESOURCES. The equipment currently located at 1201 SWANSON AVENUE, , COLUMBUS, OH 43230 is authorized to move to Honda of America Rapp-Dan Road 24000 Honda Parkway Raymond Ohio 43067 in Union County. The complete public notice including instructions for requesting information or appealing this final action may be obtained at: <http://www.epa.ohio.gov/legal/notice.aspx> or: Hearing Clerk, Ohio EPA, PO Box 1049, 50 W Town St, Columbus, OH 43216. Ph: 614-644-2129 email: HClerk@epa.state.oh.us

PUBLIC NOTICE
5/14/2012 Issuance of Draft Air Pollution Permit-To-Install and Operate

BUCKEYE TERMINALS, LLC -TOLEDO STATION (NORCO)
359 SINCLAIR,
Toledo, OH 43605
Lucas County

FACILITY DESC.: Pipeline Transportation of Refined Petroleum Products
PERMIT #: P0109435
PERMIT TYPE: Renewal

PERMIT DESC: Renewal of federally enforceable operating permit for a pipeline breakout station and renewal of variance to operate for a fixed roof tank.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitsonline.aspx> by entering the permit # or: Matthew Stanfield, Toledo Department of Environmental Services, 348 South Erie Street, Toledo, OH 43604. Ph: (419) 936-3015.

PUBLIC NOTICE
5/14/2012 Issuance of Draft Air Pollution Permit-To-Install and Operate

Steel Structures of Ohio, LLC
1324 Firestone Parkway,
Akron, OH 44301
Summit County

FACILITY DESC.: Fabricated Structural Metal Manufacturing
PERMIT #: P0109886
PERMIT TYPE: Renewal

PERMIT DESC: FEPTIO renewal permit for metal coating line and steel shot blast booth with baghouse control device.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitsonline.aspx> by entering the permit # or: Kelly Kanoza, Akron Regional Air Quality Management District, 146 South High Street, Room 904, Akron, OH 44308. Ph: (330) 375-2480.

**PUBLIC NOTICE
PORTABLE AIR CONTAMINANT SOURCE**

Facility Description: Other Crushed and Broken Stone Mining and Quarrying

On 05/04/2012 the Director of the Ohio Environmental Protection Agency approved the request to relocate (REL02214) submitted by COMPLETE RESOURCES. The equipment currently located at 1201 SWANSON AVENUE, , COLUMBUS, OH 43230 is authorized to move to Honda of America Rapp-Dan Road 24000 Honda Parkway Raymond Ohio 43067 in Union County. The complete public notice including instructions for requesting information or appealing this final action may be obtained at: <http://www.epa.ohio.gov/legal/notice.aspx> or: Hearing Clerk, Ohio EPA, PO Box 1049, 50 W Town St, Columbus, OH 43216. Ph: 614-644-2129 email: HClerk@epa.state.oh.us

**PUBLIC NOTICE
5/16/2012 Issuance of Draft Air Pollution Title V Permit**

Airstream, Inc.
419 West Pike Street,
Jackson Center, OH 45334
Shelby County

FACILITY DESC.:	Other Motor Vehicle Electrical and Electronic Equipment Manufacturing
PERMIT #:	P0108279
PERMIT TYPE:	Renewal
PERMIT DESC:	Renewal of Title V for recreational vehicle manufacturing facility which contains five coating lines and three processes.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitsonline.aspx> by entering the permit # or: Craig Osborne, Ohio EPA DAPC, Southwest District Office, 401 East Fifth Street, Dayton, OH 45402. Ph: (937) 285-6357.

PUBLIC NOTICE
5/16/2012 Issuance of Draft Air Pollution Title V Permit

Neaton Auto Products Manufacturing, Inc.
975 South Franklin Street, 688
Eaton, OH 45320-0688
Preble County

FACILITY DESC.: Motor Vehicle Seating and Interior Trim Manufacturing
PERMIT #: P0108888
PERMIT TYPE: Renewal

PERMIT DESC: Renewal of an existing Title V permit for Neaton Auto Products which includes paint booths and reaction injection molding booths.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitsonline.aspx> by entering the permit # or: Carlos Lynch, Regional Air Pollution Control Agency, 117 South Main Street, Dayton, OH 45422-1280. Ph: (937) 225-4435.

**PUBLIC NOTICE
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) and James Brent Hayes and J.B. Hayes Excavating & Pipeline, Inc. (J.B. Hayes) have entered into a proposed Consent Order to resolve a Complaint filed against and J.B. Hayes on June 18, 2010 in the Athens County Court of Common Pleas, case number 10 CI 0182. The proposed Consent Order would require J.B. Hayes to immediately comply with the requirements of Ohio Revised Code Chapter 6111 and with the terms and conditions of the April 21, 2008 General National Pollutant Discharge Elimination System Permit for Storm Water Discharges. J.B. Hayes owns and operates the following properties: "Four U.S. Route 50 Buildings Site" located on 16635 U.S. Route 50 in Athens County, "Hamden Elementary Borrow Pit Site" located next to Hamden Elementary School on State Route 93 in Vinton County, "Harmony Road Borrow Pit Site" located on Harmony Road in Caanan Township, Athens County, and "Hayes Professional Building Site" is located at the intersection of U.S. Route 33 and Township Road 655 in Dover Township, Athens County.

In addition, the proposed Consent Order prohibits the installation of any new disposal system without first obtaining a Permit-to-Install. The proposed Consent Order requires payment of a thirty eight thousand, one hundred and twenty five dollar (\$38,125) civil penalty.

Copies of the proposed Consent Order can be obtained from the Ohio EPA, Southeast District Office, by calling the Division of Surface Water Supervisor at (740) 385-8501 or by writing to:

Ohio EPA, Southeast District Office
Division of Surface Water
2195 Front Street
Logan, Ohio 43138
Attn: Enforcement Coordinator

Written comments should be submitted to Ohio EPA, Southeast District Office at the above address. Written comments should be submitted on or before **June 21, 2012**.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty day period commences on **May 22, 2012**. Both the State of Ohio and J.B. Hayes reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE**

Arrow Concrete Company - Tiltonsville

Issue Date: 05/15/2012
Relocation Number: REL02209
Facility ID: 0125973103

Facility Location: Arrow Concrete Company - Tiltonsville
200 Walden Avenue,
Tiltonsville, OH 43963

Facility Description: Ready-Mix Concrete Manufacturing

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to 56182 Dilles Bottom Road, Dilles Bottom, OH 43947 upon the publication of this notice.

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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Ohio EPA DAPC, Central District Office at (614) 728-3778.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
MAR ZANE PLANT NO 30**

Issue Date: 05/17/2012
Relocation Number: REL02095
Facility ID: 0660950001

Facility Location: MAR ZANE PLANT NO 30
3200 Jackson Pike,
Grove City, OH 43123

Facility Description: Asphalt Paving Mixture and Block Manufacturing

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to 38824 National Rd. West; Bethesda, Belmont County, Ohio upon the publication of this notice.

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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Ohio EPA DAPC, Southeast District Office at (740) 385-8501.

Defiance County

PUBLIC NOTICE PROPOSED CONSENT ORDER

The Ohio Environmental Protection Agency (Ohio EPA) and Enviro Artscaping, Inc. and Gerald Richter have entered into a proposed Consent Order to resolve a Complaint filed against Enviro Artscaping, Inc. on October 21, 2008 in the Defiance County Court of Common Pleas, Case No. 03-CV-36440. The proposed Consent Order would require Enviro Artscaping, Inc. to immediately comply with the requirements of Ohio Revised Code Chapters 3734 and 6111 at its property located at 05557 State Route 66 North, Defiance, Defiance County, Ohio ("Property"). The proposed Consent Order requires Enviro Artscaping, Inc. to cease acceptance of "solid waste" as defined in R.C. Chapter 3734 and "industrial waste" and "other waste" as defined in R.C. 6111.01 at the Property. In addition, the proposed Consent Order requires Enviro Artscaping, Inc. to allow Ohio EPA, Defiance County, and/or their contractors to have full use of the Property or any portion thereof for stream and/or wetlands mitigation and/or conservation purposes. The proposed Consent Order requires Enviro Artscaping, Inc. to allow Ohio EPA, Defiance County, and or/contractors to use materials on the Property for the purposes of stream and/or wetlands mitigation, or grading of the Property.

Copies of the proposed Consent Order can be obtained from the Ohio EPA, Northwest District Office, by calling the Division of Surface Water Supervisor at (419)352-8461 or by writing to:

Attn: Enforcement Coordinator
Ohio EPA, Northwest District Office
Division of Surface Water
347 North Dunbridge Road
Bowling Green, OH 43402

Written comments must be submitted to Ohio EPA, Northwest District Office at the above address on or before **June 15, 2012**.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty day period commences on **May 16, 2012**. The Parties reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
Busey Road Aggregates LLC**

Issue Date: 05/15/2012
Relocation Number: REL02137
Facility ID: 0123950298

Facility Location: Busey Road Aggregates LLC
10283 Busey Road,
Canal Winchester, OH 43110

Facility Description: Construction Machinery Manufacturing

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to 6300 Sawmill Road Columbus Ohio upon the publication of this notice.

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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Ohio EPA DAPC, Central District Office at (614) 728-3778.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE**

Trucco Construction Company Inc

Issue Date: 05/15/2012
Relocation Number: REL02226
Facility ID: 0121000401

Facility Location: Trucco Construction Company Inc
3531 Airport Road,
Delaware, OH 43015

Facility Description: Site Preparation Contractors

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to 546 Jack Gibbs Boulevard Columbus, Ohio 43215 upon the publication of this notice.

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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Ohio EPA DAPC, Central District Office at (614) 728-3778.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
GoGreen, LLC**

Issue Date: 05/17/2012
Relocation Number: REL02233
Facility ID: 0369002002

Facility Location: GoGreen, LLC
Miller Contracting Group, 17359 SR 66, Ottoville, OH 45896
Ottoville, OH 45896

Facility Description: Crushed and Broken Granite Mining and Quarrying

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to City of Napoleon, 1722 Oakwood Avenue, Napoleon, OH 43545 upon the publication of this notice.

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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Ohio EPA DAPC, Northwest District Office at (419) 352-8461.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
GREAT LAKES CRUSHING**

Issue Date: 05/11/2012
Relocation Number: REL02225
Facility ID: 0243011330

Facility Location: GREAT LAKES CRUSHING
35650 Lakeland Blvd.
Eastlake, OH 44095

Facility Description: Other Crushed and Broken Stone Mining and Quarrying

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to Trax 930 Miller Road Avon, OH 44011 upon the publication of this notice.

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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Ohio EPA DAPC, Northeast District Office at (330) 425-9171.

Date of Public Notice: May 11, 2012

**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 a 25' by 37' hydroelectric powerhouse over the existing basin at the base of the Lake Milton Dam. The application was submitted by Mahoning Hydropower, LLC. The project is located at 2541 Grandview Road, Lake Milton. The Pittsburgh District Corps of Engineers Public Notice Number for this project is 2009-2067. The Ohio EPA ID Number for this project is 123900.

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 place 300 cubic yards of class C concrete below the ordinary high water mark to construct a foundation for a turbine and generator at the outlet of gate 2. A second foundation will be created at gate 3, but does not include a turbine. The applicant's proposed minimal degradation alternative, if approved, would place 150 cubic yards of Class C concrete below the ordinary high water mark to construct a foundation for a turbine and generator at the outlet of gate 2. 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 the Mahoning 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 May 11, 2012 copies of the application and technical support information may be inspected on Ohio EPA-DSW website: www.epa.ohio.gov/dsw

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
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
GoGreen, LLC**

Issue Date: 05/17/2012
Relocation Number: REL02232
Facility ID: 0369002002

Facility Location: GoGreen, LLC
Miller Contracting Group, 17359 SR 66, Ottoville, OH 45896
Ottoville, OH 45896

Facility Description: Crushed and Broken Granite Mining and Quarrying

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to 3 West Boundary Street, Perrysburg, OH 43551 upon the publication of this notice.

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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Ohio EPA DAPC, Northwest District Office at (419) 352-8461.