

**State of Ohio
Environmental Protection Agency
Notice of Adoption of Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rules 3745-110-01, 3745-110-02, 3745-110-03, 3745-110-04, and 3745-110-05 of the Administrative Code. Amendments were made to rules 3745-110-01, 3745-110-02, 3745-110-03, 3745-110-04, and 3745-110-05 to bring the rules in line with federal requirements, to correct minor typographical errors, to fulfill the formatting requirements of the Legislative Services commission (LSC), and to add and update citation information on materials referenced in these rules. In addition, OAC rule 3745-110-03 was further amended by adding a "Variance" provision to paragraph (L) of this rule.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally adopts them. On January 30, 2013, these rules went out for a 30 day review by interested parties. Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rules was conducted on Tuesday, June 11, 2013 at 10:30 AM at Ohio EPA Central Office, 50 West Town Street, Suite 700, Columbus, Ohio 43215. There were no changes made to the proposed rules and there were no comments received during the public hearing for these rules. The Director's order of adoption was issued on July 8, 2013. **The effective date of these rules is July 18, 2013.**

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. Alan Harness, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Alan Harness at (614) 644-4838. This rule is available on Ohio EPA's Web page for electronic downloading at: <http://www.epa.ohio.gov/dapc/regs/regs.aspx>.

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. 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 also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.

**State of Ohio
Environmental Protection Agency
Notice of Adoption of Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rule 3745-20-01 of the Administrative Code.

Amendments were made to the rule to include two changes. Ohio EPA is changing the definition of "Facility" in paragraph (C)(18) and removing the definition of "Residential Exempt Structure" in paragraph (C)(45). The changes bring the rules into line with the federal asbestos NESHAP regulations.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally adopts them. On February 18, 2013, these rules went out for a 30 day review by interested parties. Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rules was conducted on Friday, June 7, 2013 at Ohio EPA Central Office, 50 West Town Street, Suite 700, Columbus, Ohio 43215. There were no changes made to the proposed rules and there were no comments received during the public hearing for these rules. The Director's order of adoption was issued on July 8, 2013. **The effective date of these rules is July 18, 2013.**

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. Paul Braun, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Paul Braun at (614) 644-3734. This rule is available on Ohio EPA's Web page for electronic downloading at: <http://www.epa.ohio.gov/dapc/regs/regs.aspx>.

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. 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 also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.

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

Notice is hereby given that on July 9, 2013 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: Michael May, CP 350 and Joseph Berlin, CP 351.

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 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: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

If you would like to review a copy of the certificate, or any documents related to the certification, please contact DERR Records Management Officer, at Ohio EPA, Division of Environmental Response and Revitalization, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE
AMENDED COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
3M Company, Former 3M Copley Property

Notice is hereby given that on July 9, 2013, 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 an Amended Covenant Not to Sue/Final Findings and Orders to 3M Company, the Volunteer, for property known as the former 3M Copley property.

The Volunteer conducted a voluntary action of the approximately 96.74 acre-property, which is located at 3149 Copley Road, in Copley Township, Summit County, Ohio. The Amended Covenant includes termination criteria modifications requested by 3M to demonstrate the property has achieved ground water standards with reliance on boundary well locations. 3M submitted documentation that demonstrates the ground water monitoring data satisfies the requested modification. The property complies with applicable standards for unrestricted potable use of the shallow ground water emanating from the Property.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (the "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 "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: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

If you would like to review a copy of the Covenant Not to Sue/Final Findings and Orders, please contact the Records Management Officer, Ohio EPA, Division of Environmental Response and Revitalization, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE
7/10/2013 Issuance of Draft Air Pollution Permit-To-Install

Ford Motor Company - Ohio Assembly Plant
650 Miller Road,
Avon Lake, OH 44012-0000
Lorain County

FACILITY DESC: Automobile Manufacturing
PERMIT #: P0104237
PERMIT TYPE: Administrative Modification

PERMIT DESC: Facility-wide PAL permit

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: Kristen Switzer, Ohio EPA DAPC, Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087. Ph: (330) 425-9171.

PUBLIC NOTICE
7/11/2013 Issuance of Draft Air Pollution Permit-To-Install and Operate

WHEMCO - OHIO FOUNDRY INC
1600 MCCLAIN RD,
LIMA, OH 45804
Allen County

FACILITY DESC: All Other Miscellaneous General Purpose Machinery
 Manufacturing

PERMIT #: P0111325
PERMIT TYPE: Initial Installation

PERMIT DESC: FEPTIO to establish particulate emissions limitations (both stack and fugitive) less than 100 tons/yr to avoid Title V permit 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: Andrea Moore, Ohio EPA DAPC, Northwest District Office, 347 North Dunbridge Road, Bowling Green, OH 43402. Ph: (419) 352-8461.

PUBLIC NOTICE
7/11/2013 Issuance of Draft Air Pollution Title V Permit

Bio-Gas Technologies, LTD
10215 Hoover Road,
Milan, OH 44846
Erie County

FACILITY DESC: Fossil Fuel Electric Power Generation
PERMIT #: P0114530
PERMIT TYPE: Renewal

PERMIT DESC: Renewal Title V operating permit for an electric services facility which includes one landfill gas flare (P003) and one landfill gas fired generator (P001).

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/permitonline.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
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
Shelly Co.-Smith Concrete (CS Johnson)

Issue Date: 07/09/2013
Relocation Number: REL02622
Facility ID: 0664970009

Facility Location: Shelly Co.-Smith Concrete (CS Johnson)
1181 Cherry Street,
Kent, OH 44240

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 4431 West 130th Street, Cleveland, 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.

PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
Smith Concrete Portable Genset 21.0292

Issue Date: 07/09/2013
Relocation Number: REL02621
Facility ID: 0664005002

Facility Location: Smith Concrete Portable Genset 21.0292
1181 Cherry Street,
Kent, OH 44240

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 4431 West 130th Street, Cleveland, 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.

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

American Eagle Recycling, Inc.

Issue Date: 07/10/2013
Relocation Number: REL02625
Facility ID: 1318008731

Facility Location: American Eagle Recycling, Inc.
30103 Clement Road,
Westlake, OH 44145

Facility Description: Crushed and Broken Limestone 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 Cleveland Hopkins Airport - 5500 Riverside Drive, Cleveland 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 Cleveland Division of Air Quality at (216) 664-2297.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
AMERICAN EAGLE RECYCLING, INC.**

Issue Date: 07/10/2013
Relocation Number: REL02624
Facility ID: 1318008084

Facility Location: AMERICAN EAGLE RECYCLING, INC.
13700 McCracken Road (home base),
Garfield Heights, OH 44125

Facility Description: Construction Sand and Gravel Mining

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 Cleveland Hopkins Airport - 5500 Riverdale Drive, Cleveland, 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 Cleveland Division of Air Quality at (216) 664-2297.

Portage and Mahoning Counties

Date of Public Notice: July 10, 2013

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 replace an existing 8-inch petroleum products line with a new 12-inch line. The pipeline will run from Mogadore, Ohio to the Vanport facility in Beaver PA. The Ohio portion of the project will run through Mahoning and Portage counties. The application was submitted by Walter Skorupsky. The Buffalo District Corps of Engineers Public Notice Number for this project is 2012-00852. The Pittsburgh District Corps of Engineers Public Notice Number is 2012-1347. The Ohio EPA ID Number for this project is 124000.

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 approximately 850 acres. The applicant's proposed minimal degradation alternative, if approved, would also impact approximately 850 acres and all wetland and stream crossings would be directional drilled. 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 water bodies along the pipeline route. 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 July 10, 2013, 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.

Seneca, Huron, Ashland, Wayne Counties

Date of Public Notice: July 10, 2013

**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 replace an existing 8-inch petroleum products line with a new 12-inch line. The pipeline will run from Tiffin to Easton through Seneca, Huron, Ashland, and Wayne counties. The application was submitted by Walter Skorupsky. The Buffalo District Corps of Engineers Public Notice Number for this project is 2012-00850. The Huntington District Corps of Engineers Public Notice Number is 2012-00777-TUS-Orange Creek. The Ohio EPA ID Number for this project is 124031.

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 approximately 950 acres. The applicant's proposed minimal degradation alternative, if approved, would also impact approximately 950 acres and all wetland and stream crossings would be directionally drilled. 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 water bodies along the pipeline route. 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 July 10, 2013 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.