

Public Hearing
Ohio Environmental Protection Agency
Five-Year Rule Review of Ohio Administrative Code (OAC) Rule 3745-114-01
“Toxic Air Contaminants”

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has performed a review of the above referenced rule primarily to satisfy the requirements of Section 119.032 of the Ohio Revised Code (five-year review). The DAPC finds the rule to be necessary and with need for changes. DAPC is proposing minor changes to both rules in this chapter to update information on the version and availability of items referenced in the rules.

The rule in Ohio Administrative Code (OAC) Chapter 3745-114 contains a list of compounds which, when emitted by a facility, may be cause for the director of Ohio EPA to require a permit-to-install under OAC chapter 3745-31. Pursuant to a court decision by the 10th Circuit Court of Appeals and the requirements of ORC 119.032, Ohio EPA has reviewed OAC rule 3745-114-01 and finds the need to add compounds to the list of toxic air contaminants contained in the 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 March 13, 2014, these rules went out for a 30-day review by interested parties. DAPC received no comments on the proposed amendments.

Pursuant to Section 119.03 of the Ohio Revised Code, a **public hearing on these rule changes will be conducted at 10:30 AM on Tuesday, January 6, 2015** at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on January 6, 2015, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after January 6, 2015, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on the Web page for electronic downloading at: <http://epa.ohio.gov/dapc/DAPCrules.aspx> . See the information on these rules under the “Proposed Rules” tab. Questions regarding accessing the web site should be directed to Paul Braun at 614-644-3734; other questions or comments about these rules should be directed to Paul Braun at Ohio EPA, (614) 644-3734, paul.braun@epa.ohio.gov, or mailed to Paul Braun, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail.

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY
Public Notice
Proposed Rulemaking Governing
OAC Chapter 3745-26, "Enhanced Automobile Inspection and Maintenance
Program"**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3704.14 of the Ohio Revised Code and in accordance with Chapter 119, proposes to adopt amendments to the following rule of the Ohio Administrative Code:

OAC Chapter 3745-26

This rule addresses automobile emissions testing regulations.

The purpose of this rule making is to make changes regarding the testing and operating requirements of the emissions testing contractor. There are also changes to language used to describe the issuance of testing requirement extensions as well as several minor changes to existing language for clarification.

The public comment period will run until January 7, 2015. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. **This hearing will be held at Ohio EPA Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087 at 3:00 PM on Wednesday, January 7, 2015.**

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rulemaking.

Written testimony should be sent to the attention of Mike Riggelman at the Ohio EPA Division of Air Pollution Control, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on January 7, 2015, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Mike Riggelman at the Ohio EPA Division of Air Pollution Control at 614-644-3590. The proposed rules are also accessible on the DAPC web page at: <http://epa.ohio.gov/dapc/DAPCrules.aspx#112742675-proposed-rules>.

**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 Certified Repair Technicians under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the repair technicians listed below. The certificates were issued 12/1/2014.

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 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

FIRST	LAST	CITY	STATE
DAVID J.	BROWN	COLUMBIA STATION	OH
MICHAEL J.	COWLEY	STRONGSVILLE	OH
BRENT A.	JOHNSON	GARRETTSVILLE	OH
THOMAS M.	SPENCER	WELLINGTON	OH
JOHN P.	HASKELL	MEDINA	OH
FRED J.	CERNY	PARMA	OH
LOUIS J.	KULIS	SOUTH EUCLID	OH
ROBERT J.	FLORA SR.	WESTLAKE	OH
EDDIE R.	BEAULIEU	PARMA	OH
DANIEL P.	ELBERT	PARMA	OH

FIRST	LAST	CITY	STATE
MICHAEL J.	HERSH	ORANGE VILLAGE	OH
SHAWN M.	McCANN	SHEFFIELD LAKE	OH
MATTHEW M.	HUDAK	BROADVIEW HEIGHTS	OH

**PUBLIC NOTICE
FINAL ACTIONS OF THE DIRECTOR
ISSUANCE OF CERTIFICATES TO REPAIR FACILITIES 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 3745-26-15, has issued certificates to perform work as Certified Repair Facilities under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the facilities listed below. The certificates were issued 12/1/2014.

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. These final actions of the Director were not preceded by proposed actions, and are appealable to the Environmental Review Appeals Commission within thirty (30) days after issuance of the Director's action, pursuant to section 3745.07 of the Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. Appeals must be sent to the following address:

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

COUNTY	SHOP NAME	CITY	STATE
CUYAHOGA	AUTO REPAIR, INC.	BROOK PARK	OH
SUMMIT	COLE'S GARAGE, INC.	AKRON	OH
SUMMIT	STAN'S AUTO SERVICE AND SALES	AKRON	OH
MEDINA	NORTH HIGH AUTO SERVICE	WADSWORTH	OH
LAKE	LOU KULIS AUTO SERVICE	MENTOR	OH
CYUAHOGA	BEAULIEU AUTO CENTER	CLEVELAND	OH
CUYAHOGA	MADISON AVENUE AUTO SERVICE	LAKESWOOD	OH
CUYAHOGA	MAC'S MARATON	CLEVELAND HEIGHTS	OH
CUYAHOGA	THE RIGHT WRENCH, INC.	NORTH ROYALTON	OH
MEDINA	HARB'S AUTO SERVICE	BRUNSWICK	OH

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
City of Cincinnati and USS Realty, LLC, Oakley North Redevelopment Project
Property

Notice is hereby given that on December 1, 2014, 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 the city of Cincinnati and USS Realty, LLC, the "Volunteers" for property known as Oakley North Redevelopment Project Property (the "Property").

The Volunteers conducted a voluntary action of the approximately 55.55 acre-Property, which is located at 4701 Marburg Avenue, Cincinnati, Hamilton County, Ohio. A no further action letter for the Property was submitted on December 6, 2013 to the Voluntary Action Program of the Ohio EPA Division of Environmental Response and Revitalization by Bradford White, a Certified Professional as defined in ORC 3746.01(F) and OAC 3745-300-01(A).

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
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
City of Wellston and Garrett Well LLC, Former Frick Gallagher Manufacturing Facility

Notice is hereby given that on December 1, 2014, 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 the City of Wellston and Garrett Well LLC, the "Volunteers" for property known as the Former Frick Gallagher Manufacturing Facility (the "Property").

The Volunteers conducted a voluntary action of the approximately 4.639 acre-Property, which is located at 201 South Michigan Avenue Wellston, Jackson County, Ohio. A no further action letter for the Property was submitted on December 10, 2013 to the Voluntary Action Program of the Ohio EPA Division of Environmental Response and Revitalization by Steven Sittler LPG, a Certified Professional as defined in ORC 3746.01(F) and OAC 3745-300-01(A). On March 28, 2014, Michael May PE, a Certified Professional, assumed the responsibilities of the certified professional for the no further action letter.

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
ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on December 3, 2014; the director of Ohio EPA issued five additional certificates of registration as transporter of scrap tires to Tire Centers, LLC, 310 Inglesby Parkway, Duncan, SC 29334. 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 "Treasurer, State of Ohio". 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

PUBLIC NOTICE
12/1/2014 Issuance of Draft Air Pollution Permit-To-Install

Columbus Steel Castings
2211 Parsons Avenue,
Columbus, OH 43207-2386
Franklin County

FACILITY DESC: Steel Foundries (except Investment)
PERMIT #: P0117396
PERMIT TYPE: Initial Installation

PERMIT DESC: Initial installation of an 8 ton/hr thermal sand reclamation system. System includes: four (4) sand silos, two (2) mechanical scrubber units, thermal reclamation unit, sand dryer with magnetic separator, one (1) new baghouse, and two (2) existing baghouses.

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: Stephanie Habinak, Ohio EPA DAPC, Central District Office, 50 West Town Street, 6th Floor P.O. Box 1049, Columbus, OH 43216-1049. Ph: (614)728-3778.

Date of Public Notice: December 4, 2014

**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 residential subdivision. The application was submitted by Canyon Lakes Colony Company. The project is located at Bainbridge. The Buffalo District Corps of Engineers Public Notice Number for this project is 2000-1287. The Ohio EPA ID Number for this project is 144538.

As required by the Anti-degradation 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 509 linear feet of ephemeral streams, 0.11 acres of Category 2 non-forested wetland and 1.30 acres of Category 2 forested wetland. The applicant's proposed minimal degradation alternative, if approved, would impact 479 linear feet of ephemeral streams, 0.11 acres of Category 2 non-forested wetland and 1.30 acres of Category 2 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 the Chagrin River. 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 anti-degradation 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 4, 2014, 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
Marko Demolition & Crushing LLC.**

Issue Date: 12/01/2014
Relocation Number: REL03054
Facility ID: 0362002004

Facility Location: Marko Demolition & Crushing LLC.
2925 East Broadway,
Northwood, OH 43619

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 8556 County Road 140 Findlay, Ohio 45840 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.

Date of Public Notice: November 27, 2014

**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 approximately 106 linear feet of concrete module seawall, 20 linear feet of steel cribbing, a Redi-Rock retaining wall, Redi-Rock stairs and a steel davit. The application was submitted by John and Maria Marzavas. The project is located at 31836 Lake Road, Avon Lake. The Buffalo District Corps of Engineers Public Notice Number for this project is 2014-00171. The Ohio EPA ID Number for this project is 144437.

As required by the Anti-degradation 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 result in 640.7 cubic yards of construction fill material and 126 cubic yards of sand prefill below the ordinary high water mark along the Lake Erie shoreline. The applicant's proposed minimal degradation alternative, if approved, would result in 586 cubic yards of construction fill material and 126 cubic yards of sand prefill below the ordinary high water mark along the Lake Erie shoreline. 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 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 anti-degradation 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 November 27, 2014, 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.