PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
Kidde PLC, Inc.
(Former Miami-Carey Facility Property)

Notice is hereby given that on February 26, 2004, 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 Kidde PLC, Inc. for the property identified as the Former Miami-Carey Facility property (the "Property").

Kidde PLC, Inc. conducted a voluntary action of the approximately 30-acre Property located at 203 Garver Road, Monroe, Butler County, Ohio. A no further action letter was submitted on August 4, 1998 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Kidde PLC, Inc. (formerly known as Williams US, Inc.) by Walter Kosinski, a Certified Professional (No. CP196), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

The issuance of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). 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 or issuance of the action. (See ORC 3745.04 and 3745.07). A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, 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 Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
CORRECTED LABORATORY CERTIFICATION UNDER OHIO'S VOLUNTARY ACTION PROGRAM

Notice is hereby given that on March 3, 2004, 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 corrected laboratory certificate to DataChem Laboratories ("DataChem") of 4388 Glendale-Milford Road of Cincinnati, Ohio, under Ohio's Voluntary Action Program to remove method 7196A for Hexavalent Chromium which was inadvertently listed on the certificate. The corrected certificate reflects changes to the previous certificate issued to DataChem under the Voluntary Action Program. The certification number assigned to DataChem remains CL0022.

The issuance of this certificate 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"). 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 or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 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 Kay Hughes, Records Management Officer, at Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL, REINSTATEMENT, AND ADDITIONAL
LABORATORY CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM

Notice is hereby given that on March 3, 2004, 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 renewal of laboratory certification to Belmont Labs ("Belmont") of 25 Holiday Drive, Englewood, Ohio.

Also, on that date, the Director granted Belmont's request for reinstatement of certification for Organochlorinated Pesticides by method 8081A, and its application for certification to perform analyses for additional analytes, parameter groups and methods. The Director issued Belmont's certification to perform analyses for the following: Select Nutrients by method 6010B, n–Hexane by 8260B-modified, Total Petroleum Hydrocarbons (TPH), Diesel Range Organics by method 8015B, and TPH, Gasoline Range Organics by method 8015A-modified. The certification number assigned to Belmont remains CL0032.

The issuance of the renewal certification and additional 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"). 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 or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 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 Kay Hughes, Records Management Officer, at Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL OF CERTIFIED PROFESSIONAL CERTIFICATIONS UNDER OHIO'S VOLUNTARY ACTION PROGRAM

Notice is hereby given that on March 8, 2004, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued renewal certifications to Gerald R. Myers - CP131, William B. Lozier – CP135, Joel A. Hunt – CP185, Linda K. Aller – CP141, Donald A. Fay – CP254, Eric V. Augustine – CP255, Richard J. Rush – CP256, Shawn S. Fiore – CP154, Gerald R. Myers – CP131 and Kevin C. Flynn – CP227 to perform work as a certified professionals under the Voluntary Action Program.

The issuance of these renewal certificates are 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"). 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 or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 236 East Town Street, Room 300, Columbus, OH 43215.

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

Belmont County

PUBLIC NOTICE
APPROVAL OF APPLICATION
FOR WATER SUPPLY REVOLVING LOAN ACCOUNT APPLICATION APPROVAL
TO THE CITY OF MARTINS FERRY

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Supply Revolving Loan Account (WSRLA) financial assistance to the City of Martins Ferry for the following water treatment system activities: upgrade and expansion of the City's water lines.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Martins Ferry from the WSRLA is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6109.22 (N) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Roland Roberts at the above address or by calling (614) 644-2798.

Date of Public Notice: March 12, 2004 **Coshocton County**

PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING

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 certification for a project to construct a public boat ramp on the Walhonding River. The preferred design would result in 19 cubic yards of fill being placed below the ordinary high water mark. The minimal degradation design would result in 18 cubic yards of fill being placed below the ordinary high water mark. The non-degradation design allows no impacts to waters of the state. The application was submitted by the Walhonding Valley Fire District, 19849 TR 383, Walhonding, Ohio 43843. The project is located at 100 S Bridge St, Coshocton County, Warsaw, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is 200300847. The Ohio EPA ID Number for this project is 037261.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Walhonding River and its watershed (HUC 05040003). The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule, apply or may be granted by the Director of Ohio EPA.

Starting March 12, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 6:30 PM on April 29, 2004, at the Walhonding Valley Fire House, 100 S. Bridge St, Warsaw, Ohio. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project. The purpose of the hearing is to obtain additional information that will be considered by the director of Ohio EPA prior to any further action on the application.

Ohio EPA will continue to accept written comments on the application through the close of business on May 6, 2004. Comments received after this date may not be considered as part of the official record of the hearing. Anyone may submit written comments or request to be placed on a mailing list for information by writing to: Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049.

Fairfield County

PUBLIC NOTICE
APPROVAL OF FACILITIES PLAN AND APPLICATION FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE TO CITY OF PICKERINGTON

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to City of Pickerington, for the following water quality improvement activity(ies): the expansion of the wastewater treatment plant from 1.8 MGD to 3.5 MGD. The improvements include the addition of an east train to the existing treatment plant including aeration and final clarification. The treatment trains will be served by a new pretreatment facility, sand filter complex, and effluent facility. Existing tanks will be converted to aerobic digestors.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilites planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to City of Pickerington from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Jack Hoogeveen at the above address or by calling (614) 644-2798.

Fayette County

PUBLIC NOTICE
APPROVAL OF APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO THE VILLAGE OF JEFFERSONVILLE

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of Jeffersonville, for the following water quality improvement activity: design of improvements to and expansion of wastewater treatment plant.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the Village of Jeffersonville from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Scott Edmond at the above address or by calling (614) 644-2798.

Franklin County

PUBLIC NOTICE
APPROVAL OF APPLICATION
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE
TO THE CITY OF COLUMBUS

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Columbus, for the following water quality improvement activity: construction of the City's Jackson Pike Wastewater Treatment Plant Sludge Handling and Dewatering Improvements, Phase 3.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Columbus from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Kevin G. Spurbeck at the above address or by calling (614) 644-2798.

Franklin County

PUBLIC NOTICE
APPROVAL OF FACILITIES PLAN AND APPLICATION FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE TO THE CITY OF COLUMBUS

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Columbus, for the following water quality improvement activity(ies): construction of the Columbus Southerly Wastewater Treatment Plant's New Headworks, Phase 2.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilites planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the City of Columbus from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Kevin G. Spurbeck at the above address or by calling (614) 644-2798.

Hamilton County

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
PUBLIC HEARING CONCERNING
ISSUANCE OF DRAFT SYNTHETIC MINOR
AND PREVENTION OF SIGNIFICANT DETERIORATION (PSD)
AIR PERMITS TO INSTALL
TO RUMPKE SANITARY LANDFILL, INC.
CINCINNATI, OHIO

Public notice is hereby given that the Ohio Environmental Protection Agency (EPA) has already issued on January 28, 2003, and public noticed draft action of air permit-to-install (PTI) application number 14-05382 and issued on March 9, 2004, draft action of air PTI application number14-05292 to Rumpke Sanitary Landfill, Inc. The air contaminant sources contained within draft air PTI number 14-05292 are subject to the applicable provisions of the Prevention of Significant Deterioration (PSD) regulations as promulgated by U.S. EPA (40 CFR 52.21) and the Ohio EPA permit to install requirements [Ohio Administrative Code (OAC) 3745-31]. This permit action proposes to allow Rumpke to expand its existing municipal solid waste landfill capacity at 10795 Hughes Road in Cincinnati, Ohio 45251-4598. The draft synthetic minor air PTI number 14-05382 was issued to restrict the existing Rumpke Sanitary Landfill air contaminant sources contained within that permit to below current permit allowable emission amounts in order to comply with air dispersion modeling requirements contained within both the above mentioned PSD and OAC regulations.

The proposed allowable air pollutant emission rates for the air contaminant sources in draft air PTI number 14-05292 are the following amounts:

Pollutant	Tons/year
Nitrogen Oxides (NO_x)	144.45
Sulfur Dioxide (SO_2)	39.7
Particulate Matter <10 microns (PM_{10})	67.6
Particulate Matter (PM)	177.34
Carbon Monoxide (CO)	490.5
Fluorothrichloromethane (CFC-11)	0.2
Dichlorodifluorormethane (CFC-12)	3.63
Non-methane organic compounds from municipal waste landfills (NMOC)	647.6
Volatile Organic Compounds	21.35
Hydrogen Fluorides (HF)	10.56
Hydrogen Chlorides (HCL)	70.8
Methane	599
Benzene	0.29

PSD increment analyses:

NOx: The U.S. EPA allows sources to consume no more than the maximum available ambient PSD increment(s) for each PSD pollutant. The Ohio EPA allows PSD sources to consume less than one half the available increment. This facility has demonstrated that the impact from the new sources is 4.8 micrograms per cubic meter ($\mu g/m^3$) which is less than one half the available increment of 12.5 $\mu g/m^3$. Based on this analysis, the project complies with the increment requirements for NOx.

PM_{10}: The U.S. EPA allows sources to consume no more than the maximum available ambient PSD increments of 30 $\mu g/m^3$ and 17 $\mu g/m^3$ for the 24-hour and annual averaging times, respectively. The Ohio EPA allows PSD sources to consume less than one half the available increment, with some exceptions. In this case, the impact above one half the PSD increment for this source is localized. This facility has demonstrated that the impacts from the new sources are 24.95 $\mu g/m^3$ and 6.57 $\mu g/m^3$, respectively, which are less than the available increment. Based on this analysis, the project complies with the increment requirements for PM_{10}.

CO: The CO impact for this project on a one-hour and eight-hour basis are 116.7 $\mu g/m^3$ and 55.6 $\mu g/m^3$, respectively This facility has demonstrated that the impact from the new sources is less than the PSD significant impact increments of 2000 $\mu g/m^3$ .and 500 $\mu g/m^3$ for the one-hour and eight-hour levels, respectively. Therefore, the impact is insignificant and additional modeling is not required. Based on this analysis, the applicant has demonstrated that the project will have insignificant impact for CO.

A public hearing for both draft air permits is scheduled for Monday, April 12, 2004 in the Colerain Township Administration Building at 4200 Springdale Road in Colerain Township, Ohio and will commence at 7:00 p.m. The public hearing provides an opportunity for citizens to submit comments on the draft air permits. A presiding officer will be present and may limit oral testimony to ensure that all parties are heard.

All interested persons are entitled to attend or be represented and give written or oral comments on the draft permits at the hearing. Written comments must be received by the close of the business day on April 19, 2004. Comments received after this date will not be considered part of the official record.

Written comments may be submitted at the hearing or sent to: Peter Sturdevant of the Hamilton County Department of Environmental Services at 250 William Howard Taft Road, Cincinnati, Ohio 45219.

Copies of the draft air permit applications and technical support information may be reviewed and/or copies made by first calling to make an appointment at the Hamilton County Department of Environmental Services, located at the above address, telephone number (513) 946-7777.

March 4, 2004

Mahoning County

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has issued as a final action Director's Final Findings and Orders that will result in the termination of Unilateral Orders dated June 20, 1990 and September 7, 1990. The Respondents in the Unilateral Orders are Arthur Horvath and Arthur Toth. This matter concerns the Old Toth Landfill, located in Elsworth Township, Mahoning County, Ohio. The landfill operated from 1969 until 1976. The recurring discharge of leachate to an unnamed tributary near the landfill resulted in an enforcement action being undertaken by the Division of Emergency and Remedial Response in 1990.

The effective date of this action is March 3, 2004. The action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action. A copy of the appeal must be served upon the Director of Ohio EPA within three (3) days of filing at the ERAC. The ERAC's address is:

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

A copy of the Director's Final Findings and Orders may be obtained from the Division of Emergency and Remedial Response, Ohio EPA, P.O. Box 1049, OH 43216-1049 or Ohio EPA, Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087.

Mercer County

PUBLIC NOTICE
APPROVAL OF FACILITIES PLAN AND APPLICATION FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE TO THE VILLAGE OF BURKETTSVILLE

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of Burkettsville, for the following water quality improvement activity: the construction of a gravity sewer system going through the neighboring Village of New Weston and to the Village of St. Henry for treatment.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilites planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the Village of Burkettsville from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Mary Mariani at the above address or by calling (614) 644-2798.

Mercer County

PUBLIC NOTICE
APPROVAL OF FACILITIES PLAN AND APPLICATION FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE TO THE VILLAGE OF NEW WESTON

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of New Weston, for the following water quality improvement activity: the construction of a gravity sewer system and lift station on State Route 118 going to the Village of St. Henry for treatment.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilites planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the Village of New Weston from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Mary Mariani at the above address or by calling (614) 644-2798.

Date of Public Notice: March 15, 2004 **Montgomery County**

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 certification for a project to construct a residential housing development. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would impound a total of 1,312 feet of streams and five wetlands totaling 4.346 acres. The applicant's minimal degradation alternative would impact 1,312 linear feet of stream and 2.94 acres of wetlands. The applicant's non-degradation would have no direct impacts on streams or wetlands. The application was submitted by Crossman Communities, Inc., 5412 Courseview Dr., Suite 210, Mason, Ohio 45040. The project is located ½ miles east of State Route 49 on the southside of Westbrook Road, Trotwood, Montgomery County, Ohio. The Army Corps of Engineers number for this project is 200300822. The Ohio EPA number for this project is 032614.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in a tributary of Dry Run, located in the Great Miami River basin (05080002). The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting March 15, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available 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 30 days of the date of this public notice.

February 17, 2004 **Muskingum County**

PUBLIC NOTICE
APPROVAL OF FACILITIES PLAN AND APPLICATION FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE TO THE CITY OF ZANESVILLE

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Zanesville for the following water quality improvement activity: The project includes the separation of sanitary and storm sewers that will result in the elimination of the combined sewer overflow in the western section of the City.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilites planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the City of Zanesville from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Roland Roberts at the above address or by calling (614) 644-2798.

Ottawa County

PUBLIC NOTICE
APPROVAL OF FACILITIES PLAN AND APPLICATION FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE TO OTTAWA COUNTY BOARD OF COMMISSIONERS

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to Ottawa County Board of Commissioners, for the following water quality improvement activity(ies); expand and upgrade the Ottawa County Danbury Township wastewater treatment plant.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilities planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to Ottawa County from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Brian Enck at the above address or by calling (614) 644-3651.

Ottawa County

PUBLIC NOTICE
OHIO EPA ISSUES FINAL TEMPORARY AUTHORIZATION

On March 12, 2004, Ohio EPA issued a final temporary authorization under its hazardous waste facility installation and operation permit (Hazardous Waste Permit) to Brush Wellman, Inc. for its facility at 14710 W. Portage River South Road, Elmore, Ohio. Brush Wellman, Inc., 1200 Hanna Building, Cleveland, Ohio owns the facility. The EPA Identification Number for this facility is OHD004212999.

Why does Brush Wellman, Inc. need this temporary authorization?

Brush Wellman, Inc., manufactures and markets beryllium alloys, beryllium oxide and metallic beryllium. To produce these beryllium products, Brush Wellman, Inc., operates furnaces. Brush Wellman, Inc. submitted a Class 3A modification to its Hazardous Waste Permit requesting to use the exceedance of background limits as the criterion (in lieu of detection) to add certain groundwater constituents to the site specific list of hazardous constituents monitored under their on-going RCRA post-closure ground water monitoring program.

Can I appeal this temporary authorization?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this temporary authorization you have the right to appeal this decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final temporary authorization, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than April 13, 2004. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal, according to Ohio Revised Code §3745.04, with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

Washington County

PUBLIC NOTICE
APPROVAL OF FACILITIES PLAN AND APPLICATION FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE TO WASHINGTON COUNTY COMMISSIONERS

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Washington County Commissioners, for the following water quality improvement activity(ies): this project consists of the construction and installation of a new lift station and forcemain to replace the existing 35,000 GPD failing Oxbow WWTP. The sewage will be transported to the City of Belpre for treatment.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilites planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the Washington County Commissioners from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. 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. 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, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Tracy Harrison Bruny at the above address or by calling (614) 644-2798.