

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
GC Acquisitions Corporation (Ridge Plaza Property)

Notice is hereby given that on April 15, 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 GC Acquisition Corporation for the property identified as the Ridge Plaza property (the "Property").

GC Acquisition Corporation conducted a voluntary action of the approximately 11.5212 acre-Property located at 5375 and 5405 Ridge Avenue, Cincinnati, Hamilton County, Ohio. A no further action letter was submitted on January 17, 2003 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of GC Acquisition Corporation by John L. Payne, a Certified Professional (CP104), 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 St., 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.

**Ohio Environmental Protection Agency
Division of Drinking and Ground Waters**

**PUBLIC NOTICE
April 19, 2004**

Public notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters has adopted a policy to provide the regulated community with guidance on what may be cited as significant deficiencies during a sanitary survey of a public water system. "OPR-01-001 Significant Deficiencies for Sanitary Surveys" provides examples of enforceable significant deficiencies that may be cited during a sanitary survey, categorized according to the eight components of a sanitary survey required by 40 CFR 142.16(b)(3), and assists in the implementation of the Interim Enhanced Surface Water Treatment Rule.

A copy of the policy can be found on the division's web site, found at <http://www.epa.state.oh.us/ddagw/dwguid.html>, and may also be obtained by writing to:

Ohio EPA
Lazarus Government Center
Attention: Kelly Butler, DDAGW
P.O. Box 1049
Columbus, Ohio 43216

PUBLIC NOTICE
ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 19, 2004, the director of Ohio EPA issued six certificates of registration as transporter of scrap tires to Morelli Bros. Block & Brick, Inc., 4500 Freedom Way, Weirton, WV 26062. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

PUBLIC NOTICE
ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 19, 2004, the director of Ohio EPA issued three certificates of registration as transporter of scrap tires to Tri-County Industries Inc., 159 TCI Park Dr., Grove City, PA 16127. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

PUBLIC NOTICE
ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 19, 2004, the director of Ohio EPA issued six certificates of registration as transporter of scrap tires to First Class Tire, 7302 W Vienna Rd., Clio, MI 48420. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

PUBLIC NOTICE
ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 19, 2004, the director of Ohio EPA issued ten certificates of registration as transporter of scrap tires to Porter Tire Center Inc., 18361 W US Hwy 60, Olive Hill, KY 41164. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

PUBLIC NOTICE
ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 19, 2004, the director of Ohio EPA issued six certificates of registration as transporter of scrap tires to DTR Inc., 2640 Hoods Creek Pk, Ashland, KY 41102. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

PUBLIC NOTICE
ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 19, 2004, the director of Ohio EPA issued eleven certificates of registration as transporter of scrap tires to Recovery Technologies Group Inc., 7000 Blvd E, Guttenberg, NJ 07093. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

Date of Public Notice: April 26, 2004

Hancock and Wyandot Counties

**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 applications for, and has begun to consider, whether to issue or deny, Clean Water Act Section 401 certification for a proposed transportation project that consists of the construction of a four-lane, limited access divided highway on a new alignment to U.S. Route 30 near the cities of Findlay and Upper Sandusky, Hancock and Wyandot Counties, Ohio. The application was submitted by the Ohio Department of Transportation (ODOT), 1980 West Broad Street, Columbus, Ohio 43223. The Ohio EPA Public Notice Number for the project is (SWIMS #) 021333. The ODOT ID code for the project is HAN/WYA-30-3.00/0.00, PID 12420, 12421, and 12422. The Applicant presented three project alternatives, pursuant to the anti-degradation requirements in 3745-1-05 and 3745-1-54 of the Ohio Administrative Code (OAC). The alternatives are: Preferred Alternative, Minimal Degradation Alternative, and Non-Degradation Alternative.

The Preferred Alternative begins at the existing SR 235 in Hancock County and extends for approximately 26 miles east to the Upper Sandusky Bypass in Wyandot County. This alternative is estimated to impact 26 jurisdictional streams and 17 jurisdictional wetlands, resulting in an estimated 9, 705 linear feet and 3.3 acres of impacts, respectively. The breakdown on the stream impacts include: installation of culverts or pipes on eighteen streams, bridge construction work on four streams, and the remainder consisting of re-channelization and channel fill. The impacts to wetlands involve excavation and fill, and indirect losses.

The Minimal Degradation Alternative uses the same road alignment as in the Preferred Alternative but use bridges on all streams and wetlands crossed by the project, except where not technically feasible due to engineering constraints. This alternative is estimated to impact 737 linear feet of streams at three locations and 0.37 acres of impacts to wetlands.

The Applicant has chosen a “no-build” condition for the Non-Degradation Alternative. It would not impact aquatic resources. The Applicant claims that this alternative is not feasible because it does not satisfy the “Purpose and Need” for the project and would not address safety problems.

The discharges from these activities, if approved, would result in degradation to, or lowering of, the water quality of jurisdictional wetlands and jurisdictional streams in the Auglaize River and Sandusky River Watersheds, Hancock and Wyandot Counties, Ohio. The review of the application will be conducted in accordance with Chapters 3745-1, 3745-32, and other applicable provisions of OAC and the Ohio Revised Code (ORC). 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.

Beginning April 26, 2004 copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 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.

Date of Public Notice: April 26, 2004

Cuyahoga and Lake Counties

**PUBLIC NOTICE
NOTICE OF RECEIPT OF ISOLATED WETLAND PERMIT
APPLICATION (LEVEL 2)**

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, an Isolated Wetland Permit (Level 2) for a project to impact 0.75 acres of Category 1 and 2 wetlands to construct a church and residential community on an approximately 70-acre site. The application was submitted by American Church Builders, 875 East Broad Street, Columbus, Ohio 43205. The project is located on Magnolia Drive, Euclid Township, Cuyahoga and Lake Counties, Ohio. The Ohio EPA Number for this project is 048404.

The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Ohio Revised Code (ORC) Sections 6111.02 to 6111.028 and other applicable provisions of state laws. Other alternatives as proposed by the applicant resulting in less adverse impact to the isolated wetland ecosystem, will be considered by Ohio EPA during the review process.

Starting April 26, 2004, copies of the application 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 20 days of the date of this public notice.

Date of Public Notice: April 26, 2004

Cuyahoga County

**PUBLIC NOTICE
NOTICE OF RECEIPT OF ISOLATED WETLAND PERMIT
APPLICATION (LEVEL 2)**

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, an Isolated Wetland Permit (Level 2) for a project to construct a cluster housing development resulting in impacts to 1.08 acres of Category 1 and 2 wetlands. The application was submitted by TMC Land, 23850 Sperry Dr, Westlake, Ohio 44145. The project is located at the intersection of Center Ridge Road and Fairway Drive, in Westlake, Ohio, Cuyahoga County. The Ohio EPA Number for this project is 049270.

The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Ohio Revised Code (ORC) Sections 6111.02 to 6111.028 and other applicable provisions of state laws. Other alternatives as proposed by the applicant resulting in less adverse impact to the isolated wetland ecosystem, will be considered by Ohio EPA during the review process.

Starting April 26, 2004, 2004, copies of the application 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 20 days of the date of this public notice.

Date of Public Notice: April 26, 2004

Delaware 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 subdivision. The application was submitted by Dominion Homes, 5000 Tuttle Crossing Boulevard, Dublin, Ohio 43016. The project is located south of East Powell Road, near Interstate 71, Orange Township, Lewis Center, Delaware County. The Ohio EPA ID Number for this project is 048829.

The applicant submitted three alternatives for this project (Preferred, Minimal, and Non-degradational alternative). The preferred alternative would impact approximately 553 linear feet of stream, the minimal degradation alternative would impact approximately 130 linear feet of stream, and the non-degradation alternative would involve no impacts to waters of the state.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of an unnamed tributary in the Alum Creek Watershed. 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 April 26, 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.

Date of Public Notice: April 26, 2004

Erie 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, Clean Water Act Section 401 certification for a project to reconstruct 360 linear feet of West Drive along Washburn Ditch, north of South Drive, in Erie County, Huron Ohio. The application was submitted by the City of Huron, 417 Main Street, P.O. Box 468, Huron, Ohio 44839. The U.S. Army Corps of Engineers (Buffalo District) Public Notice Number for this project is 2004-00081(0). The Ohio EPA ID Number for this project is 048749.

The applicant submitted three alternatives for this project (Preferred, Minimal, and Non-degradation alternative). The preferred alternative proposes to reconstruct West Drive to 22 feet wide with a 5-foot wide sidewalk on the east side of the street. This alternative would fill approximately 0.05 acres of a Category 3 coastal wetland. The minimal degradation alternative proposes to reconstruct West Drive in the same manner as above, but to use sheet piling to stabilize the west edge of the street instead of earthen fill material. This alternative would fill approximately 0.03 acres of a Category 3 coastal wetland. The non-degradation alternative is a no-build alternative.

The discharges from these activities, if approved, would result in degradation to, or lowering of, the water quality of Washburn Ditch. 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.

Beginning April 26, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. The application 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 June 15, 2004, at the Huron Public Library, 333 Williams Street, Meeting Room A, Huron, Ohio, 44839. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the project.

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 June 22, 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.

Date of Public Notice: April 26, 2004

Franklin 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 applications for, and has begun to consider, whether to issue or deny, Clean Water Act Section 401 certifications for the construction of a retaining wall for the Olentangy River Bikeway Extension project in Franklin County, Ohio. The bike path extension will be approximately 1.1 miles and extend from Olentangy Parklands in the City of Worthington to Worthington Hills Park in the City of Columbus, Franklin County, Ohio. The Applicant presented three project alternatives, pursuant to the anti-degradation requirements in 3745-1-05 and 3745-1-54 of the Ohio Administrative Code (OAC). The alternatives are: Preferred Alternative, Minimal Degradation Alternative, and Non-Degradation Alternative. The application was submitted by the City of Columbus, Recreation and Parks, 200 West Greenlawn Avenue, Columbus, Ohio 43223. The Ohio EPA Public Notice Numbers for the project is (SWIMS #) 049915. The City of Columbus identifies this project as the Olentangy Bike Path Extension.

The Preferred Alternative consists of the construction of a 350 feet retaining wall along the east side of the Olentangy River Bikeway (west bank) from Station 10 + 75 to Station 14 + 25. The construction of the retaining wall will require placement of temporary fill material below the Ordinary High Water Mark (OWHM) of the Olentangy River, installation of a cofferdam, and excavation of material from the bank of the Olentangy River.

The Minimal Degradation Alternative consists of utilizing a previously approved bike path alignment and the construction of two retaining walls above the OWHM of the Olentangy River. The Applicant stated that the retaining wall is not technical feasible to construct because it would not be stable in this alignment that is in close proximity to the Olentangy River. This alternative would not involve the placement of fill material within the Olentangy River channel.

The Non-Degradation Alternative would use an alignment that is further west of the Olentangy River. It would involve the construction of a retaining wall on the west side of the bike path. The Applicant stated that this alternative is not viable because the bike path would be constructed close to the SR 315 bridge abutments. This could compromise the integrity of the abutments and the SR 315 exit ramps. As in the Minimal Degradation Alternative, this alternative would not involve the placement of fill material within the Olentangy River.

The discharges from these activities, if approved, would result in degradation to, or lowering of, the water quality of the Olentangy River Watershed. The review of the application will be conducted in accordance with Chapters 3745-1, 3745-32, and other applicable provisions of OAC and the Ohio Revised Code (ORC). 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 April 26, 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.

PUBLIC NOTICE

Notice is hereby given that on April 21, 2004, the Director of the Environmental Protection Agency issued a temporary approval for Gary Hickman, a class III wastewater operator, to be in responsible charge of the Jackson Pike Wastewater Treatment Plant, a class IV wastewater facility, in accordance with Ohio Administrative Code Rule 3745-7-02(G). This approval was issued as a final action, and may be appealed to the Environmental Review Appeals Commission (ERAC), pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557 within 30 days of issuance of this final action.

Date of Public Notice: April 26, 2004

Greene 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 development called Wentworth Village.. The application was submitted by Crosstowne Properties, Ltd., 1101 North Fountain Avenue, Springfield, Ohio 45504. The project is located at 4019 West Franklin Street, Bellbrook, Ohio. The Louisville District, U.S. Army Corps of Engineers has issued a Nationwide Permit #39 for this project. The U.S. Army Corps project number for this project is 200301559pht. The Ohio EPA ID Number for this project is 049875. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative is to construct 11 multi-family buildings, a clubhouse and pool, and 5 stormwater detention basins on an approximately 10-acre parcel. This alternative would pipe approximately 700 linear feet of an intermittent and ephemeral stream. The minimal degradation alternative would still construct the 11 multi-family buildings, the clubhouse and pool and the 5 stormwater detention basins but would pipe only about 220 linear feet of the intermittent segment of the stream and relocate approximately 500 linear feet of the ephemeral segment of the stream. The non-degradation is to construct 8 multi-family buildings, a clubhouse, and a pool. There are no impacts to surface water for this alternative.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of an unnamed tributary to Portage Path in the Little Sugar Creek and Little Miami River watersheds (HUC 05090202). 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 April 26, 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.

**PUBLIC NOTICE
Revocation Permit To Install 06-06822
Colgate-Palmolive Company**

Public Notice is hereby given that the Director of the Ohio Environmental Protection Agency (EPA) hereby revokes the April 4, 2002 Permit To Install 06-06822 for emissions unit T056 (detergent base storage tank) located at 8800 Guernsey Industrial Boulevard, Cambridge Ohio. In a letter to Ohio EPA dated March 18, 2004, the permittee requested revocation of PTI 06-06822 because the operation qualifies for de minimis status. The request was made pursuant to OAC rule 3745-31-07 as a revocation for cause. This revocation is effective pursuant to Ohio Administrative Code rule 3745-31-07 and will not result in the violation of any applicable laws.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 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. It must be filed within thirty (30) days after the notice of the Directors 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

Questions concerning this revocation may be directed to Michael Ahem, Ohio EPA Division of Air Pollution Control at (614)644-3631.

**PUBLIC NOTICE
Revocation Permit To Install 06-06676
Colgate-Palmolive Company**

Public Notice is hereby given that the Director of the Ohio Environmental Protection Agency (EPA) hereby revokes the November 6, 2001 Permit To Install 06-06676 for emissions units T031 and T039-T055 located at 8800 Guernsey Industrial Boulevard, Cambridge Ohio. In a letter to Ohio EPA dated March 18, 2004, the permittee requested revocation of PTI 06-06676 because the operation qualifies for de minimis status. The request was made pursuant to OAC rule 3745-31-07 as a revocation for cause. This revocation is effective pursuant to Ohio Administrative Code rule 3745-31-07 and will not result in the violation of any applicable laws.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 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. It must be filed within thirty (30) days after the notice of the Directors 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

Questions concerning this revocation may be directed to Michael Ahem, Ohio EPA Division of Air Pollution Control at (614)644-3631.

**PUBLIC NOTICE
Revocation Permit To Install 06-03650
Colgate-Palmolive Company**

Public Notice is hereby given that the Director of the Ohio Environmental Protection Agency (EPA) hereby revokes the June 9, 1993 Permit To Install 06-03650 (modified December 10, 2002) for emissions units T001-T003, T006-T012, T014-T024, T026-T030, and T032-T038 located at 8800 Guernsey Industrial Boulevard, Cambridge Ohio. In a letter to Ohio EPA dated March 18, 2004, the permittee requested revocation of PTI 06-03650 based on changes to 40 CFR Part 60, Subpart Kb, which allow the following emissions units to qualify for de minimis status: T001-T003, T006-T012, T014-T024, T026-T030, and T032-T038. The request was made pursuant to OAC rule 3745-31-07 as a revocation for cause. This revocation is effective pursuant to Ohio Administrative Code rule 3745-31-07 and will not result in the violation of any applicable laws.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 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. It must be filed within thirty (30) days after the notice of the Directors 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

Questions concerning this revocation may be directed to Michael Ahern, Ohio EPA Division of Air Pollution Control at (614)644-3631.

Date of Public Notice: April 26, 2004

Jefferson County

**PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND
ISOLATED WETLAND PERMIT (LEVEL 2) APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an applications for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification and Isolated Wetland Permit for a project to construct a 117-acre sanitary landfill facility within a 1,285-acre site. The project proposes to fill 3.79 acres of the 8.29 acres of jurisdictional wetlands on site and 1.01 acres of the 1.61 acres of isolated wetlands on site. Two unnamed tributaries to Goose Creek would also be impacted. The application was submitted by Apex Energy Inc., P.O. Box 1298, Steubenville, Ohio, 43952. The project is located east of Jefferson County Road 78 and Harrison County Road 51, and approximately one mile north of State Route 646 in Jefferson County. The U.S. Army Corps of Engineers (Pittsburgh District) Public Notice Number for this project is 04-13. The Ohio EPA ID Number for this project is 049815.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Goose Creek. 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) and 6111 of the Ohio Revised Code (ORC). 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 April 26, 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.

Date of Notice: May 3, 2004

Lake County

**PUBLIC NOTICE
OF PUBLIC HEARING FOR SECTION 401 CERTIFICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received applications for, and has begun to consider whether to issue or deny, an Isolated Wetland Permit (Level 2) and a Section 401 water quality certification for a project to construct the Heisley Park Subdivision, Phases 4-10 residential development. The application was submitted by Mortell and Associates Real Estate, LP, 26732 South Balmoral Woods Drive, Crete, Illinois, 60417. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would impact 13.88 acres of non-isolated wetlands, 0.83 acres of isolated wetlands, and 2,774 feet of streams. The applicant's minimal degradation alternative would impact 11.36 acres of non-isolated wetlands, 0.83 acres of isolated wetlands, and 2,774 feet of streams. The applicant's non-degradation would have no direct impacts on streams or wetlands. The project is located north of Jackson Street and west of State Route 44, Painesville Township, Lake County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 98-50-1-0010(2). The Ohio EPA ID Number for this project is 041005.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Black Brook. The review of the applications will be conducted, and a decision whether to grant or deny the applications will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC), Ohio Revised Code (ORC) Sections 6111.02 to 6111.028, and other applicable provisions of state laws. In accordance with OAC 3745-1-05 and 3745-1-54, an antidegradation review of the Section 401 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 May 3, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 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 7:00 PM on June 24, 2004 at the Hobart Middle School, located at 200 West Walnut Street, Painesville, Ohio 44077. 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 projects. 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. Written comments must be received by the Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on July 1, 2004. Comments received after this date may not be considered as part of the official record of the hearing.

Persons wishing to be on Ohio EPA's interested parties mailing list for this project, or wish to submit 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 by the close of business on July 1, 2004.

**PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Sections 3745.01 and 6109.04 of the Ohio Revised Code, has issued Final Findings and Orders to Anthony Kostoglou to ensure that the Mahoning Valley Chiropractic and Rehabilitation Center's public water system is operated in compliance with the State's safe drinking water laws. These Final Findings and Orders provide Anthony Kostoglou with a schedule for resolving its drinking water violations. This final action will be effective on April 21, 2004, 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 the ERAC within thirty (30) days after notice of the Director's action. A copy of the appeal must be served upon the Director of the Ohio Environmental Protection Agency 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, Ohio 43215

PUBLIC NOTICE
OHIO EPA ISSUES FINAL RENEWAL HAZARDOUS WASTE PERMIT

On April 21, 2004, Ohio EPA issued a final renewal Hazardous Waste Facility Installation and Operation Permit (Permit) to DuPont Electronic Polymers L.P. for its facility at 1515 Nicholas Road, Dayton, Ohio 45418. The EPA Identification Number for this facility is OHD004855292.

Why does DuPont Electronic Polymers L.P. need a Permit?

DuPont Electronic Polymers L.P. (DuPont) operates a micro-electronic and developmental production plant involved in the manufacture of chemical products for the electronic industry. From these activities, hazardous wastes are generated and stored on-site in containers for greater than 90 days. DuPont wishes to continue to store hazardous waste in containers. The final renewal Permit contains the conditions under which the facility must operate. To issue this final Permit, Ohio EPA determined that the Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws. The renewal Permit requires DuPont to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility.

Can I appeal this permit?

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 Permit, you have the right to appeal this permit decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final modified Permit, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than May 21, 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 and 3745.07, 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.

Date of Public Notice: April 26, 2004

Portage 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 restore and maintain cover over approximately 500 linear feet of an exposed pipeline. The application was submitted by BP Pipeline, MWBU, 4421 Bradley Road, Cleveland, Ohio, 44109. The project is located in an unnamed tributary to the Michael J. Kirwan Reservoir, near Calvin Road, in Portage County, Ohio. The Pittsburgh District Corps of Engineers Public Notice Number for this project is 03-42. The Ohio EPA ID Number for this project is 036266.

The applicant submitted three alternatives for this project (Preferred, Minimal, and Non-degradation alternative). The preferred alternative proposes to protect the pipeline and stabilize banks using a re-vegetating articulating grout mat. The minimal degradation alternative proposes to lower the line by trench cutting and the non-degradation alternative involves directional drilling a new line.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality to an unnamed tributary to the Michael J. Kirwan Reservoir. 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 April 26, 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.

Date of Public Notice: April 26, 2004

Washington 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 applications for, and has begun to consider, whether to issue or deny, Clean Water Act Section 401 certifications for a proposed transportation project in Washington County, Ohio. The Applicant presented three project alternatives, pursuant to the anti-degradation requirements in 3745-1-05 and 3745-1-54 of the Ohio Administrative Code (OAC). The alternatives are: Preferred Alternative, Minimal Degradation Alternative, and Non-Degradation Alternative. For the Preferred and Minimal Degradation Alternatives, the construction area would be located at SR 7/US Route 50 and SR 339 and Davis Creek, just west of Belpre in Belpre Township, Washington County, Ohio. The application was submitted by the Ohio Department of Transportation (ODOT), 1980 West Broad Street, Columbus, Ohio 43223. The Ohio EPA Public Notice Numbers for the project is (SWIMS #) 049650. The ODOT ID Number for the project is WAS-50-4.40, PID 23565 (Corridor D Interchange). The Army Corps of Engineers (Huntington District) Public Notice Number is 200400265.

The Preferred Alternative consist of the construction of an interchange facility near the intersection of State Route 7 and US Route 50 in Belpre, Ohio. Ancillary work includes modifications to the existing interchange at SR 339 by the addition of collector/distributor roads servicing the SR 339 interchange and proposed interchange, the replacement of an existing culvert on Davis Creek at US Route 50, and the installation of two culverts to accommodate the loop ramp north of US 50 and SR 7. This alternative is estimated to impact a total of 2,330 linear feet of jurisdictional streams.

The Minimal Degradation Alternative consists of the same interchange construction details proposed in the Preferred Alternative. However, to minimize impacts to Davis Creek the Applicant is proposing to construct two 60 feet bridges over Davis Creek in place of a culvert. The Applicant stated that this would decrease the impacts to Davis Creek by 425 feet, for a total of 1,155 liner feet of impacts to Davis Creek. The Applicant stated that this alternative is feasible but not practicable because of the high cost which would be an estimated \$1,080,000.00 more than the Preferred Alternative. Also, the Applicant emphasized that the two bridges would be constructed over an aquatic resource having a low ecological assessment score.

No construction or "No Build" is proposed for the Non-Degradation Alternative. The Applicant stated that there is no way to construct an interchange without impacting Davis Creek. This alternative would not impact aquatic resources.

The discharges from these activities, if approved, would result in degradation to, or lowering of, the water quality of jurisdictional streams in the Muskingum River Watershed. The review of the application will be conducted in accordance with Chapters 3745-1, 3745-32, and other applicable provisions of OAC and the Ohio Revised Code (ORC). 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 April 26, 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.

PUBLIC NOTICE
OHIO EPA ISSUES DRAFT RENEWAL HAZARDOUS WASTE PERMIT

On April 15, 2004, Ohio EPA issued a draft renewal hazardous waste facility installation and operation permit (Permit) to Cytec Industries, Inc. for its facility at 1405 Greene Street, Marietta, Ohio 45750. The EPA Identification Number for this facility is OHD004341509.

Why does Cytec Industries, Inc. need a Permit?

Cytec Industries, Inc. is a former speciality chemical manufacturing plant. Operations at the facility have ceased and Cytec is currently performing investigation and cleanup of waste areas at the site. To investigate and clean the site, Cytec Industries, Inc. needs a Permit. The draft renewal Permit contains the conditions under which the facility must operate if the Permit receives final approval. To issue this draft renewal Permit, Ohio EPA determined that the Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws, given the potential for harm to the public health and safety and the environment that could result from the irresponsible operation of the facility. When issued, the renewal Permit will allow Cytec Industries, Inc. to continue to investigate and cleanup any contamination of hazardous waste in the designated areas, or constituents that may be at the facility. Details about this draft action can be viewed on Ohio EPA's website under Stakeholders Involvement at <http://www.web.epa.state.oh.us/dhwm/>

How can I tell Ohio EPA what I think about this draft renewal Permit?

You can attend the public meeting and present your comments in person or submit written comments that are clear, concise, and well documented. Or, you are welcome to do both. Everyone who wants to comment at the public meeting will be allowed to speak. You should limit your presentation to five minutes and, if possible, submit a written copy of your comments to Ohio EPA at the meeting.

When and where will Ohio EPA hold a public meeting?

Ohio EPA will hold a public meeting on May 20, 2004, at 6:30 p.m. It will be at the Washington County Public Library, 615 Fifth Street, Marietta, Ohio 45750.

When and how do I submit written comments?

You can submit written comments anytime between April 16, 2004 and June 1, 2004. Send your comments to Ohio EPA, Lazarus Government Center, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail: dhwmcomments@epa.state.oh.us.

Where can I review the Permit Application and draft renewal Permit?

You can review these at one of the following locations:

Washington County Public Library, 615 Fifth Street, Marietta, Ohio 45750, (740) 373-1057;

Ohio EPA - Southeast District Office, 2195 Front Street, Logan, Ohio 43138, (740) 385-8501; and,

Ohio EPA, Division of Hazardous Waste Management, 122 South Front Street, Columbus, Ohio 43215, (614) 644-2917.

What will Ohio EPA do with the comments?

After carefully considering public comments, Ohio EPA will reconsider the draft renewal Permit, making any necessary changes, and issue or deny the final Permit. Ohio EPA will issue a "response to public comments," specifying any changes made to the draft Permit. If you commented on the draft Permit, Ohio EPA will send you copies of the "response to public comments" and the final permit decision.