

BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC NOTICE OF  
PROPOSED RULE-MAKING GOVERNING  
HAZARDOUS WASTE MANAGEMENT

Why is Ohio EPA proposing this rule?

The purpose of this proposed rule-making is to amend a rule to conform to a new statute change. House Bill (HB) 432, which becomes effective on April 15, 2005 and changed Ohio Revised Code 3734.02 (E)(2), changed the maximum length of a hazardous waste installation and operation permit from five years to ten years. This rule amendment incorporates that required change into the state rule. This rule was also reviewed pursuant to Ohio Revised Code section 119.032, which requires Ohio EPA to review certain rules every five years. That review concluded that no other amendments to this rule are required, so no other amendments are proposed.

What rule are we proposing to amend?

The Ohio Environmental Protection Agency proposes to amend rule 3745-50-54 of the Administrative Code, which is entitled "Duration of permits."

When can I tell Ohio EPA what I think about this proposed rule amendment?

A public hearing pursuant to sections 119.02 through 119.04 of the Ohio Revised Code will be conducted on Thursday, May 5, 2005 beginning at 10:00 a.m. in room 5B at the Ohio Environmental Protection Agency, Lazarus Government Center, 122 South Front Street, Columbus, Ohio. All interested parties are entitled to attend or be represented and give their written or verbal comments on this proposed rule-making. A presiding officer will be present until 11:30 a.m. or until all interested parties have been heard if that time interval is insufficient.

How and when do I provide my comments to Ohio EPA on this proposed rule?

To provide notice of intent to give verbal comments at the public hearing, contact Ms. Kit Arthur, Division of Hazardous Waste Management, Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, OH, 43216-1049. To facilitate scheduling of verbal presentations, people who intend to give testimony at the hearing should ensure that Ohio EPA receives notice of such intent by 5:00 p.m. on Wednesday, May 4, 2005. People who provide Ohio EPA with prior notice will be heard before those who register at the hearing.

In order to assure that written communications are considered as part of the official record of this hearing, written communications must be received by Ohio EPA by 5:00 p.m. on Thursday, May 5, 2005. Written communications may be filed with Ms. Arthur at the above address or with the presiding officer during the hearing.

How do I get a copy of the proposed rule?

This rule may be accessed electronically via the Register of Ohio at <http://www.RegisterOfOhio.state.oh.us/index>. To access by agency, enter "3745 Environmental Protection Agency" and then enter the rule number.

Who do I call if I have questions about the proposed rule?

Questions concerning this proposed rule-making may be addressed to Ms. Arthur at 614/644-2932 at Ohio EPA.

**OHIO ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC NOTICE  
ISSUANCE OF A CERTIFIED PROFESSIONAL CERTIFICATE**

Notice is hereby given that on March 29, 2005, The Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code Section 3746.04 (B)(5) and Ohio Administrative Code Rule 3745-300-05, issued a professional certificate to John M. Clinch-CP207 and Nancy E. Sauer-CP284, to perform work as a certified professional under the Voluntary Action Program. .

The issuance of this 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 S. Fourth Street, Suite 222, Columbus, Ohio 43215.

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

**PUBLIC NOTICE**  
**FINAL ACTIONS OF THE DIRECTOR**  
**ISSUANCE OF CERTIFICATES TO REPAIR TECHNICIANS UNDER**  
**THE MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code Chapter 3704.14 and Ohio Administrative Code rule 3745-26-16, has issued certificates to perform work as a Certified Repair Technician under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the repair technicians listed below. All certificates are issued 3/31/2005.

For information regarding these final actions, contact Glenn Luksik, Ohio EPA, Division of Air Pollution Control, Mobile Sources Section, P.O. Box 1049, Columbus, Ohio 43216-1049, or by telephone at (614) 644-3059. These final actions of the Director were not preceded by proposed actions, and are appealable to the Environmental Review Appeals Commission within thirty (30) days after issuance of the Director's action, pursuant to section 3745.07 of the Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. Appeals must be sent to the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

<u>FIRST</u>	LAST	CITY	STATE
JOHN	LONGAN	AKRON	OH
RAYMOND	KIRKPATRICK	AKRON	OH
JAMES	SAVAGE	BARBERTON	OH
RICHARD	RENTSCHLER	BATAVIA	OH
JAMES	MCRBERTS	MADEIRA	OH
SLAVKO	SPASIC	MEDINA TWP	OH
TODD	ROLLER	NEW RICHMOND	OH
JEREMY	TARLE	TALLMADGE	OH
GREG	BROWN	XENIA	OH
THOMAS	JOHNSTON	YELLOW SPRINGS	OH

**PUBLIC NOTICE**  
**FINAL ACTIONS OF THE DIRECTOR**  
**ISSUANCE OF CERTIFICATES TO REPAIR FACILITIES UNDER**  
**THE MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code Chapter 3704.14 and Ohio Administrative Code rule 3745-26-15, has issued certificates to perform work as a Certified Repair Facility under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the facilities listed below. All certificates are issued 3/31/2005.

For information regarding these final actions, contact Glenn Luksik, Ohio EPA, Division of Air Pollution Control, Mobile Sources Section, P.O. Box 1049, Columbus, Ohio 43216-1049, or by telephone at (614) 644-3059. These final actions of the Director were not preceded by proposed actions, and are appealable to the Environmental Review Appeals Commission within thirty (30) days after issuance of the Director's action, pursuant to section 3745.07 of the Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. Appeals must be sent to the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

COUNTY	SHOP NAME	CITY	STATE
BUTLER	J. L. TIRE CO, INC	FAIRFIELD	OH
BUTLER	LOVELACE RADIATOR	HAMILTON	OH
BUTLER	MENKE MOTORS	FAIRFIELD	OH
CLERMONT	MERCKLE'S TOWING & SERVICE	MOSCOW	OH
CUYAHOGA	LENNY'S SERVICE, INC	CLEVELAND	OH
CUYAHOGA	MADISON AVE AUTO SERVICE	LAKEWOOD	OH
HAMILTON	KEN'S 66 INC.	CINCINNATI	OH
HAMILTON	OVERBECK AUTO SERVICES, INC	CINCINNATI	OH
HAMILTON	PROCARE 9323	CINCINNATI	OH
HAMILTON	THE SPORTS CAR STORE	CINCINNATI	OH
MONTGOMERY	ROSS MOTOR CARS	CENTERVILLE	OH
PORTAGE	MASTER TECH AUTOMOTIVE	RAVENNA	OH
SUMMIT	GOODYEAR AUTO SERVICE	AKRON	OH
SUMMIT	KEN CHAPMANS GARAGE	NORTON	OH
SUMMIT	KINNEY'S AUTOMOTIVE SERVICE	AKRON	OH
Summit	TWINSBURG AUTO SERVICE	Twinsburg	OH
WARREN	MUENNICH, INC.	MASON	OH

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL HAZARDOUS WASTE PERMIT RENEWAL TO  
VON ROLL AMERICA, INC., EAST LIVERPOOL, OHIO**

On March 23, 2005, Ohio EPA issued a final Ohio Hazardous Waste Facility Installation and Operation Permit Renewal (Permit) to Von Roll America, Inc. for its facility at 1250 Saint George Street, East Liverpool, Ohio 43920. The EPA Identification Number for this facility is OHD980613541.

**Why does Von Roll America, Inc. (Von Roll) need a Permit?**

Von Roll America, Inc., operates a commercial hazardous waste incinerator with associated waste management activities and needs a Permit to store and treat hazardous waste in containers and tanks, and to incinerate hazardous waste. To store, treat and incinerate hazardous wastes, Von Roll needs a Hazardous Waste Permit. The final renewal Permit contains the conditions under which the facility must operate. To issue this final 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. The renewal Permit allows Von Roll to continue to store and treat hazardous waste in containers and tanks, and to incinerate hazardous waste. It will also require Von Roll to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility. Details about this final action can be viewed on Ohio EPA's website at [www.epa.state.oh.us/dhwm/pdf/03-23-05VonRoll.pdf](http://www.epa.state.oh.us/dhwm/pdf/03-23-05VonRoll.pdf).

**Where can I review the Permit Application and final Permit?**

You can review these at one of the following locations:

**Carnegie Public Library**, 219 East Fourth Street, East Liverpool, Ohio 43920, (330) 385-2048;

**Ohio EPA - Northeast District Office**, 2110 Aurora Road, Twinsburg, Ohio 44087, (330) 963-1200, and;

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

**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 April 22, 2005. 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: ***Joseph P. Koncelik, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE  
APPROVAL OF FACILITIES PLAN AND APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE  
TO THE NORTHEAST OHIO REGIONAL SEWER DISTRICT**

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 Northeast Ohio Regional Sewer District, for the following water quality improvement activity(ies): installation of and modifications to regulators and new dry weather outlet (DWO) sewers constructed in micro-tunnel and open cut sewers, as well as the installation of a backflow prevention structure. These projects will be built at CSO outfall areas in the cities of Cuyahoga Heights and Cleveland.

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 the Northeast Ohio Regional Sewer District 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.

**PUBLIC NOTICE  
APPROVAL OF FACILITIES PLAN AND 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 actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to The Village of Jeffersonville, for the following water quality improvement activity(ies): the construction of a 0.5 MGD mechanical wastewater treatment plant for the Village.

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 The Village of Jeffersonville 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 Scott Edmond, Division of Financial Assistance, at the above address or by calling (614) 644-2798.

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

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 Bloomingburg, for the following water quality improvement activity: collect data and design facilities for an upgrade to an existing 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 Bloomingburg 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.

**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 Franklin-Main Interceptor Rehabilitation, CIP600.4 & CIP600.5.

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 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.

**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 Southerly Wastewater Treatment Plant Electrical System Upgrade. 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.

**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 new Headworks Screen & Grit Facilities Building at the Southerly 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 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.

**PUBLIC NOTICE**

**OHIO EPA RECEIVES NEW HAZARDOUS WASTE CLOSURE PLAN**

On March 2, 2005, Ohio EPA received a new hazardous waste closure plan from Distribution Technologies, Inc. for its hazardous waste tank storage area located at 11250 Kinsman Road, Newbury, Ohio 44065. The EPA Identification Number for this facility is OHD002834919.

**Why is Distribution Technologies, Inc. submitting this new Closure Plan?**

At the request of Ohio EPA, Distributions Technologies, Inc. submitted this closure plan. The facility completed a subsurface investigation related to buried objects at its Newbury tank wash terminal. Investigative work was followed by the removal of the objects and remediation of surrounding petroleum contaminated oil. The new closure plan includes the following sections: background investigation work completed to identify the buried objects; describes the excavation and remediation work completed including overburden removal and sampling contaminated media consisting of cleaning and removing concrete pipes, removing contaminated soils and buried tankers; describes the regulated units; describes the chemicals of concern; describes the closure of the regulated units, and; presents a cost estimate and schedule for closure

**When and how do I submit written comments about this Closure Plan?**

You can submit written comments anytime between April 5 and May 4, 2005. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail address: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us).

**Where can I review the Closure Plan?**

You can review the Closure Plan at the following locations:

**Geauga County Public Library**, Newbury Station Branch, 14775 Auburn Road, Newbury, Ohio 44065, tel: (440) 564-7552;

**Ohio EPA, Northeast District Office**, 2110 East Aurora Road, Twinsburg, Ohio 44087, tel: (330) 963-1200; and,

**Ohio EPA, Division of Hazardous Waste Management**, 122 South Front Street, Columbus, Ohio 43215 (614) 644-2977.

**Date of Public Notice: April 5, 2005**

**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 modify the Miami Fort Generating Station in order to construct facilities to support a wet flue gas desulphurization system. The application was submitted by the Cincinnati Gas & Electric Company, 139 East 4<sup>th</sup> Street, Cincinnati, Ohio 45201. The project is located on the right descending bank of the Ohio River at River Mile 490.1, in Miami Township, North Bend, Hamilton County. The Louisville District Corps of Engineers Public Notice Number for this project is 198510002. The Ohio EPA ID Number for this project is 052211.

The project proposes to fill approximately 0.56 acres of wetlands within the limestone/gypsum handling area and for the construction of deadmen within the barge fleeting area. Additional proposed mooring cells would impact approximately 0.25 acres within the Ohio River.

The discharges from the activity, if approved, may result in degradation to, or lowering of, the water quality of the Ohio River. 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 April 5, 2005, 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  
APPROVAL OF FACILITIES PLAN AND APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE  
TO THE VILLAGE OF HEBRON**

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 Hebron, for the following water quality improvement activity: the construction of a new 1.5 MGD million gallon per day Orbal oxidation ditch 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 Hebron 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, Project Coordinator, at the above address or by calling (614) 644-2798.

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

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 Newark, for the following water quality improvement activity: planning activities for the development of a storm water utility.

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 Newark 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 Mary Mariani, Project Coordinator, at the above address or by calling (614) 644-2798.

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

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve two applications for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Toledo, for the following water quality improvement activities: the River Road Sanitary Sewer Overflow Elimination Phase 1 and Phase 3A projects.

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 Toledo 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, Project Coordinator at the above address or by calling (614) 644-2798.

**Date of Public Notice: April 5, 2005**

**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, 401 Certification for a project (Preferred Alternative) that is estimated to impact an unnamed tributary of the West Branch of Meander Creek in Ellsworth Township, Mahoning County, Ohio. The project primarily involves the reconstruction of US 224 and replacement of two culverts and one bridge over the unnamed tributary, with box culverts. The application was submitted by the Ohio Department of Transportation (ODOT), 1980 West Broad Street, Columbus, Ohio 43223. The Ohio EPA Identification Number for this project is 052245. ODOT's ID # is MAH-224-6.21, PID 23700.

The impacts from the activity, if approved, would result in degradation to, or lowering of, water quality of an estimated total of 825 linear feet of an unnamed tributary to the West Branch of Meander Creek. The review of the application shall be conducted in accordance with Chapters 3745-1 and 3745-32, and other applicable provisions of the Ohio Administrative Code (OAC), including OAC 3745-1-05, before deciding whether to allow a lowering of water quality. Ohio EPA shall consider other alternatives during the review process that result in lesser or no degradation or lowering of water quality.

Starting April 5, 2005, copies of the 401 application and associated information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Information on the 401 certification can be made available at Ohio EPA's Northeast District Office 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  
APPROVAL OF APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND SUPPLEMENTAL ASSISTANCE  
TO MONTGOMERY COUNTY**

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 Montgomery County for the following water quality improvement activity: a supplemental loan for a construction change order on the East Holes Creek sewer project resulting from unforeseen soil conditions.

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 Montgomery County 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 Mary Mariani, Project Coordinator at the above address or by calling (614) 644-2798.

**PUBLIC NOTICE  
PROPOSED CONSENT ORDER PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (EPA) has entered into a proposed Consent Order with Defendant, AK Steel Corporation, to resolve AK Steel Corporation's Zanesville Work's noncompliance with Ohio's Water Pollution Control Regulations. The proposed Consent Order addresses releases to the waters of the State from the Zanesville Works located at 1724 Linden Avenue, Zanesville, Muskingum County. The proposed Consent Order would require that this Defendant remediate the releases.

To resolve Ohio EPA's claims for violations cited in the complaint, the proposed Consent Order requires this Defendant to pay a civil penalty settlement in the amount of \$15,000 for violations of R.C. Chapter 6111. The Consent Order requires the payment of the civil penalty within 30 days of its final entry date.

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

Ohio EPA  
Southeast District Office  
2195 Front Street  
Logan, Ohio 43138  
Attn: DSW Enforcement Coordinator

Written comments should be submitted to Ohio EPA, Southeast District Office at the above address. Written comments should be submitted on or before May 6, 2005.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty day period commences on April 6, 2005. Both the State of Ohio and AK Steel Corporation Trust reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT**

On March 31, 2005, Ohio EPA issued a final Class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Vickery Environmental, Inc. for its facility at 3956 State Route 412, Vickery, Ohio 43464. The EPA Identification Number for this facility is OHD020273819.

**Why is Vickery Environmental, Inc. modifying its Permit?**

Vickery Environmental, Inc. (Vickery) is permitted to operate hazardous waste container and tank units and other related hazardous waste management units at its facility. Vickery wishes to revise the facility procedures for reapproval of waste profiles, change the notification time frame for reporting a noncompliance from fifteen to thirty days, and revise the terms and conditions addressing land disposal restrictions to eliminate unnecessary rule language and to reflect the revised land disposal restriction rule citations. This final modified permit will allow Vickery to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

**Can I appeal this final modified 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 modified 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 1, 2005**. 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 ORC § 3745.04, with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 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: ***Joseph P. Koncelik, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT**

On March 29, 2005, Ohio EPA issued a final Class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Solvay Advanced Polymers, LLC for its facility on State Route 7 South; Marietta, Ohio 45750. The EPA Identification Number for this facility is OHD981529688.

**Why is Solvay Advanced Polymers modifying its Permit?**

Solvay Advanced Polymers, LLC (Solvay) is engaged in the production of specialty, high temperature polymers for use in the manufacture of medical devices, food contact uses, electronic devices, chemical process equipment, and automotive applications. From this activity, hazardous waste is generated. To comply with security requirements, Solvay wishes to use a security guard at the public access gate, fencing and warning signs. Staff formerly stationed in a control room at the wastewater treatment plant will be moved to a centralized control room. Also, the removal of inconsistencies in the permit application will be achieved between the former equalization basin post-closure plan and the compliance monitoring plan. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

**Can I appeal this final modified 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 modified 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 **April 29, 2005**. 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 ORC § 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: ***Joseph P. Koncelik, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.