

Statewide

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

PUBLIC NOTICE

November 28, 2005

Public notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters has adopted a new policy. This policy has been written through a collaborative effort with the Ohio Section of the American Water Works Association to provide technical guidance to the regulated community for compliance with the laws of Ohio Revised Code and the division's rules of Ohio Administrative Code. The new policy is document number ENG-07-001 and entitled "Guidelines for Obtaining Approval of Membranes to Meet Treatment Requirements for Ground Water Treatment". Copies of the policy are available from the division's web site, which is found at <http://www.epa.state.oh.us/ddagw/dwguid.html> or by writing to:

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

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
Oakes Foundry, Inc. - Oakes Foundry Western Disposal Area

Notice is hereby given that on December 1, 2005, 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 Oakes Foundry, Inc. for the property identified as the Oakes Foundry Western Disposal Area property (the "Property").

Oakes Foundry, Inc. conducted a voluntary action of the approximately 1.2 acre-Property located at 700 Bronze Road, Warren, Trumbull County, Ohio. A no further action letter was submitted on September 10, 2003 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Oakes Foundry, Inc. by Mr. Joel A. Hunt, a Certified Professional, (No. CP185), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

The issuance of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. (See ORC 3745.04 and 3745.07). A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

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

Belmont County

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE FOR **SIDWELL MATERIALS HP200 CONE CRUSHER (0660010002)****

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation of the Portable Crushing Plant permitted under PTI 06-06830 issued on June 20, 2002. The air contaminant source is currently located at 42600 Deersfield Ridge Rd., Cadiz, OH, and is authorized to move to 72607 Gun Club Rd., St. Clairsville, OH upon the issuance of this notice.

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

All inquiries concerning this action may be directed to the contact identified below.
Bruce Weinberg, Ohio EPA Southeast District Office, 2195 Front St., Logan, OH 43138.
Phone: (740) 385-8501.

Date of Public Notice: December 7, 2005

Belmont 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 mine coal by conventional surface and auger mining methods on a 407-acre site in Wheeling and Richland Townships. The application was submitted by Cravat Coal Company, 40580 Cadiz-Piedmont Road, Cadiz, Ohio 43907. The project is located along Pogue Run south and west of State Route 9 and south and east of Township Road 407. The Ohio Department of Natural Resources, Division of Mineral Resources Management Application Number for this project is 10292. The Pittsburgh District Corps of Engineers Public Notice Number for this project is 200400396. The Ohio EPA ID Number for this project is 052432.

The aquatic resources on the 407-acre parcel includes approximately 23,603 linear feet of stream channel (12,040 linear feet of perennial stream channels, 7,728 linear feet of intermittent stream channels, and 3,835 linear feet of ephemeral stream channels) and 1.75 acres of mostly palustrine, emergent wetlands. Approximately 278.3 acres will be disturbed by the proposed mining. The applicant's proposed preferred alternative, if approved, would result in impacts to 10,737 linear feet of stream and 0.56 acres of wetlands.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of unnamed tributaries of Pogue Run and of Pogue Run in the Wheeling Creek watershed, which flows into the Ohio River (HUC05030106 040). 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 December 7, 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.

Clark County

**PUBLIC NOTICE
OHIO EPA APPROVES CLOSURE PLAN FOR MOYNO, INC.**

On November 2 2005, Ohio EPA approved a new closure plan for Moyno, Inc., located at 1895 West Jefferson Street, Springfield, Ohio. The EPA I.D. number for this facility is OHD079435897.

Pursuant to Ohio Revised Code rule 3745-66-11, the facility's new closure plan submitted on August 1, 2005, was approved, with a raw data and QA/QC condition, as outlined in the Director's November 2, 2005 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE
OHIO EPA APPROVES CLOSURE PERIOD EXTENSION
RICHLAND MOULDED BRICK**

On November 22, 2005, Ohio EPA approved a closure period extension request from Richland Moulded Brick, located at 1000 Richland Shale Road, Mansfield, Ohio. The EPA I.D. number for this facility is OHR000011221.

The facility's October 27, 2005 extension request, pursuant to Ohio Administrative Code rule 3745-66-13(B), is due to facility floor material type and equipment wash-down for decontamination issues. This closure plan period now expires on February 21, 2006. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

Fairfield County

**PUBLIC NOTICE
OHIO EPA ISSUES EXTENSION TO PUBLIC COMMENT PERIOD
FOR TOXCO, INC**

On September 29, 2005, Ohio EPA issued a draft hazardous waste facility installation and operation permit (Permit) to Toxco, Inc., for its facility at 265 Quarry Road, Lancaster, Ohio 43130. The EPA Identification Number for this facility is OHD071654958. The public comment period is being extended to December 6, 2005. Comments will continue to be accepted by contacting 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) 644-2917, fax number (614) 728-1245, e-mail: dhwmcomments@epa.state.oh.us.

Date of Public Notice: December 7, 2005

Hamilton 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 19-unit residential community on a 57.6-acre site in Addyston, Ohio. The project is located west of Church Street and south of Affirmed Drive in Hamilton County, Ohio. The application was submitted by Grand Communities, Ltd. 2670 Chancellor Drive, Suite 300, Crestview Hills, Kentucky, 41017. The U.S. Army Corps of Engineers (Louisville District) Identification Number for this project is 200501276. The Ohio EPA ID Number for this project is 052393.

The applicant submitted three alternatives for this project (Preferred, Minimal, and Non-degradation Alternative). The preferred alternative proposes to impact approximately 2,350 linear feet of stream, the minimal degradation alternative proposes to impact approximately 850 linear feet of stream, and the non-degradation alternative would not impact any waters of the state.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of unnamed tributaries to the Ohio River and an unnamed tributary to Muddy 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 apply or may be granted by the Director of Ohio EPA.

Starting December 7, 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. The application 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: December 5, 2005

Highland County

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has scheduled a public hearing on the National Pollutant Discharge Elimination System (NPDES) permit application for the discharge from and the Permit-to-Install application for the construction of the proposed Highland County Southwest Wastewater Treatment Plant.

The Wastewater Treatment Plant is proposed to be located on Fenwick Road, south of State Route 321, White Oak Township, Highland County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to the East Fork of White Oak Creek and subsequently White Oak Creek. The NPDES and PTI applications were submitted by the the Highland County Commissioners, 114 Governor Foraker Place, Hillsboro, Ohio 45133.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of the East Fork of White Oak Creek and subsequently White Oak Creek. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1-07, will not be exceeded. 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.

The public hearing has been scheduled for January 19, 2006 at 7:00 P.M. at the Highland County Employment and Training Center, Room 27A and 30A, 1575 North High Street, Hillsboro, Ohio 45133. The public hearing will end when everyone in attendance has 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 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. Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, or 2) submit comments for Ohio EPA's consideration must do so in writing to Ohio EPA-DSW, Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by close of business on January 26, 2006. Comments received after this date may not be considered as part of the official record of this hearing.

Copies of the pending NPDES application and technical support information may be reviewed and/or copies made at Ohio EPA's Southwest District Office, 401 East Fifth Street, Dayton, Ohio, by first calling (937) 285-6357 to make an appointment.

PUBLIC NOTICE
OHIO EPA RECEIVES AMENDED HAZARDOUS WASTE CLOSURE PLAN

On November 17, 2005, Ohio EPA received an amended hazardous waste closure plan from the Ohio Department of Transportation, District 5, (ODOT District 5) for its former test lab storage area located at 115 ½ Maholm Street, Newark, Ohio 43055. The EPA Identification Number for this facility is OHD981782816.

Why is ODOT District 5 submitting this Amended Closure Plan?

At the request of Ohio EPA, ODOT District 5 submitted this amended closure plan. This amendment includes, in part, a description of Area C including groundwater investigations of a Extraction and Treatment System for remediation of VOCs. This system is still in operation. The unit description also includes Sampling & Analysis Plan and a Quality Assurance Project Plan; and lists the chemicals of concern for two source areas and a potential source area where evidence of contamination also exist. The plan discusses the selection of Chemical Oxidation as the Proposed Enhanced Remedial Plan. A detailed description of this technology is provided. The plan proposes additional groundwater monitoring well installation, identifies health and safety procedures; and references the closure certification process.

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

You can submit written comments anytime between November 30 and December 30, 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: dhwcomments@epa.state.oh.us

Where can I review the Amended Closure Plan?

You can review the amended closure plan at the following locations:

Ohio EPA, Central District Office, 3232 Alum Creek Drive, Columbus, Ohio 43207, tel: (614) 728-3778,

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

Madison County

**PUBLIC NOTICE
OHIO EPA APPROVES CLOSURE PERIOD EXTENSION REQUEST
GENERAL MOTORS - WEST JEFFERSON**

On November 23, 2005, Ohio EPA approved a closure period extension request from the General Motors Company located at 82 West Ashtabula Street, West Jefferson, Ohio. The EPA I.D. number for this facility is OHD048111090.

The facility's October 24, 2005 extension request, pursuant to Ohio Administrative Code rule 3745-66-13(B), is for additional time to develop a work plan which describes pre-design activities necessary to complete a feasibility evaluation for site remediation. The new closure period will expire on November 24, 2007. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

Muskingum County

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE FOR **SIDWELL MATERIALS IROCK RDS-20 CRUSHER (0660950007) AND
3406 CAT GENERATOR (0660960023)****

Ohio EPA has received a request to relocate portable air contaminant sources for the company identified above. Upon review of the request, the Director has approved the relocation of the Portable Crushing Plant permitted under PTI 06-07702 issued on April 19, 2005 and the associated 3406 CAT Generator permitted under PTI 06-07790 issued on June 16, 2005 . The air contaminant source is currently located at 5441 Casey Rd., Mechanicsburg, OH, and is authorized to move to 6305 Saltillo Rd., East Fultonham, OH upon the issuance of this notice.

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

All inquiries concerning this action may be directed to the contact identified below.
Bruce Weinberg, Ohio EPA Southeast District Office, 2195 Front St., Logan, OH 43138.
Phone: (740) 385-8501.

Muskingum County

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE FOR **TRI-SON CONCRETE-ZANESVILLE PLANT 2 (0660970004)****

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation of the Portable Concrete Batch Plant permitted under PTI 06-06763 issued on April 11, 2002. The air contaminant source is currently located at 9594 McGlade School Rd., Dresden, OH, and is authorized to move to 4620 Limestone Valley Rd., Zanesville, OH upon the issuance of this notice.

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

All inquiries concerning this action may be directed to the contact identified below.
Bruce Weinberg, Ohio EPA Southeast District Office, 2195 Front St., Logan, OH 43138.
Phone: (740) 385-8501.

Date of Public Notice: December 1, 2005

Warren 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 known as the Regional Stormwater Ponds on Simpson Creek. These two ponds will be approximately 1.3 acres and 2.9 acres in size (surface area). The total detention volume available will be approximately 14 acre-feet and 28 acre-feet, respectively. The application was submitted by Trustees of Deerfield Township, 3378 Townsley Drive, Loveland, Ohio 45140. The project is located at the Schappacher Park area, located upstream and downstream of the intersection of Simpson Creek with Old Irwin-Simpson Road in Deerfield Township, Warren County, Ohio. The Louisville District Corps of Engineers Public Notice Number for this project is 200500107-cmh. The Ohio EPA ID Number for this project is 052416.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would entail the construction of the regional stormwater management ponds on Simpson Creek. This design calls for the replacement of approximately 2,200 linear feet of Simpson Creek and approximately 450 linear feet of an ephemeral tributary of Simpson Creek with the two ponds. The applicant's proposed minimal degradation alternative, if approved, would be smaller stormwater management basins elsewhere within the watershed, but not along the streams in the watershed. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on water of the State.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Simpson Creek / Little Miami 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 (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting December 1, 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.

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 December 31, 2005. Comments received after this date may not be considered as part of the official record.

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.