

**State of Ohio  
Environmental Protection Agency  
Notice of Adoption of Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rules 3745-73-01, 3745-73-02, 3745-73-03 and 3745-73-04 of the Administrative Code

The primary purpose of this rulemaking is to satisfy requirements under RC 119.032 (five year review), and to correct and update the rules to conform to current rule formats. An additional modification was included to address a comment submitted during the Interested Party review to incorporate an additional compliance test method for total reduced sulfur.

A public hearing on the proposed amendments was held on February 7, 2006, in Columbus, Ohio. There were no comments received during the comment period and no changes were made to the proposed rules included in this adoption package as a result of public comment. The Director's order of adoption was issued on March 20, 2006. The effective date of these rules is March 30, 2006.

To request a copy of these rules, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding contact Mr. Bill Spires, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Spires at 614-644-3618. This rule is available on the Web page for electronic downloading by scrolling down to OAC 3745-73, "Total Reduced Sulfur". The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215. Copies of the appeal must be served upon the Director of the Ohio EPA within three (3) days of filing with ERAC. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.

**PUBLIC NOTICE**  
**Approved Extension to Sufficient Evidence Schedule**  
**under Ohio's Voluntary Action Program**  
**(McArthur Lumber & Post Site)**

Notice is hereby given that on March 22, 2006, 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 letter which approves Appalachia Wood, Inc.'s request for a 12-month extension of time to conduct remedial activities associated with the McArthur Lumber and Post site, at 31310 State Route 93, in Vinton County, Ohio. The Director approved, on March 17, 2004, AWI's demonstration of sufficient evidence of entry into the Voluntary Action Program. The extension amends the 2004-approved sufficient evidence schedule.

The issuance of the letter 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 letter, please contact the Records Management Officer, Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**RENEWAL OF LABORATORY CERTIFICATION UNDER OHIO'S**  
**VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on March 21, 2006, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(6) and Ohio Administrative Code ("OAC") 3745-300-04, issued a renewal of laboratory certification to Summit Environmental Technologies, Inc., ("Summit") of 595 East Tallmadge Ave., Akron, Ohio. The certification number remains CL0052.

The issuance of the renewal certification is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, Columbus, OH 43215.

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

**PUBLIC NOTICE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**RENEWAL OF LABORATORY CERTIFICATION UNDER OHIO'S**  
**VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on March 21, 2006, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(6) and Ohio Administrative Code ("OAC") 3745-300-04, issued a renewal of laboratory certification to CompuChem ("CompuChem") a Division of Liberty Analytical Corp., of 501 Madison Ave., Cary, North Carolina. The certification number assigned to CompuChem remains CL0060.

The issuance of the renewal certification is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, Columbus, OH 43215.

If you would like to review a copy of the certificate, or any documents related to the laboratory's certification, please contact 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.

**Date of Public Notice: March 24, 2006**

**Ashtabula County**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project that entails periodic maintenance dredging of sediments from the areas around the Pittsburgh & Conneaut Dock Company's four main docks in Conneaut Harbor. The application was submitted by Curtis Miller, 1600 West Carson Street, Pittsburgh, PA 15219. The project is located at 950 Ford Avenue, Conneaut, Ohio, Ashtabula County. The Buffalo District Corps of Engineers ID Number for this project is 92-181-2 (2). The Ohio EPA ID Number for this project is 052407.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, is to dredge approximately 50,000 cubic yards of material from the harbor with disposal of the dredged material at the existing open-lake site in Lake Erie. The applicant's proposed minimal degradation alternative, if approved, is to dredge approximately 50,000 cubic yards of material from the harbor with disposal of the dredged material at the existing open-lake site in Lake Erie. As a mitigative technique, discharge of dredged material will be restricted to the southeastern half of this site. The project would be scheduled between June 15 and September 15 in an effort to minimize the impacts to local environmental resources, primarily fisheries. The Non-Degradation Alternative is not to dredge or construct the Conneaut Harbor.

The stated purpose of the project is to maintain sufficient water depths for commercial navigation. This project was congressionally authorized by the 1910, 1917, 1935, and 1962 River and Harbor Acts.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in Conneaut Harbor. 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.

Beginning March 24, 2006 copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center,

122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on Thursday May 11, 2006 at 6:30 p.m. at CD Ray Community Room, 2718 North Ridge Road E., Ashtabula, Ohio 44004. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project. The purpose of the hearing is to obtain additional information that will be considered by the Director of Ohio EPA prior to any further action on the application. 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 May 18, 2006. 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 May 18, 2006.

**Date of Public Notice: March 24, 2006**

**Ashtabula County**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to prevent shoreline erosion due to Lake Erie wave action. The application was submitted by Edward Sr. and Dorothy Andrus, Trustees, 4710 Lake Road, Geneva-on-the-Lake, Ohio 44041. The project is located at 4699 Lake Road, Geneva-on-the-Lake, Ashtabula County, Ohio. The Buffalo District Corps of Engineers ID Number for this project is 2005-01579(1). The Ohio EPA ID Number for this project is 052397.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, is to construct 345 linear feet of armor stone revetment along the shoreline of the property, two 99 foot long detached breakwaters, one groin 65 feet long and one groin 61 feet long, and two steel cribs with connecting bridges for lake access and fishing. Approximately 8,140 square feet of lake bottom area below OHW will be filled. The applicant's proposed minimal degradation alternative, if approved, to construct 345 linear feet of armor stone revetment along the shoreline of the property, two 99 foot long detached breakwaters, one groin 65 feet long and two steel cribs with connecting bridges for lake access and fishing. Approximately 7,300 square feet of lake bottom area below OHW will be filled. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on Lake Erie. A condominium development is proposed to be located upland, away from the shoreline.

The stated purpose of the project is to provide long term erosion protection to the shoreline of the proposed condominium development, a permanent beach area along the shoreline, and a fishing pier for the use of condominium owners.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in Lake Erie. 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.

Beginning March 24, 2006 copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center,

122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on Thursday, May 11, 2006 at 5:30 p.m. at CD Ray Community Room, 2718 North Ridge Road E, Ashtabula, Ohio 44004. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project. The purpose of the hearing is to obtain additional information that will be considered by the Director of Ohio EPA prior to any further action on the application. 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 May 18, 2006. 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 May 18, 2006.

**Champaign County**

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT SOURCE FOR **SIDWELL MATERIALS CEC-MINYU JAW 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 06-06919 issued on June 20, 2002. The air contaminant source is currently located at 4620 Limestone Valley Rd., Zanesville, OH, and is authorized to move to 5441 Casey Rd., Mechanicsburg, 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.

**Champaign County**

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT SOURCE FOR **SIDWELL MATERIALS 3406 CAT GENERATOR (0660960023)****

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 3406 CAT Generator permitted under PTI 06-07790 issued on June 16, 2005. The air contaminant source is currently located at 6305 Saltillo Rd., East Fultonham, OH, and is authorized to move to 5441 Casey Rd., Mechanicsburg, 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.

**Champaign County**

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT SOURCE FOR **SIDWELL MATERIALS IROCK RDS-20 CRUSHER (0660950007)****

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 06-07702 issued on April 19, 2005 . The air contaminant source is currently located at 6305 Saltillo Rd., East Fultonham, OH, and is authorized to move to 5441 Casey Rd., Mechanicsburg, 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.

**Champaign 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 5441 Casey Rd., Mechanicsburg, 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: March 20, 2006**

**Clinton County**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for the subject transportation project. The proposed project consists of 7.4 miles of relocated State Route 73 on new alignment in Union Township, Clinton Co. Ohio. Relocated 73, also referred to as Wilmington Bypass, will be a four lane, divided, rural freeway with limited access. The project will also have two diamond interchanges; one at US 22/SR3 and the other at US 68. Six bridge structures and seven signalized intersections are proposed. Approximately 330 acres of land area will be required for the project. The streams involved with the project are primarily in the Todd Fork sub-basin (HUC 05090202070) of the Little Miami River drainage basin (HUC 05090202). The Louisville District of the U.S. Army Corps of Engineers Number for this project is 200501028. The Ohio EPA ID Number for this project is 062542.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would involve impacts to eight streams for a total of 2,904 linear feet and to three wetlands for a total of 0.079 acre. The applicant's proposed minimal degradation alternative, if approved, would involve impacts to two streams for a total of 784 linear feet. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands but would not meet the purpose and need for the project.

The discharges from the activity, if approved, would result in degradation to, or lowering of the water quality to streams and wetlands in the the Little Miami River drainage basin (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 March 20, 2006, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on May 9, 2006, at 7:00 PM. The meeting location is the City of Wilmington, Community Room #174, 69 N. South Street, Wilmington, OH 45177.

All interested parties are entitled to attend or be represented and give written or oral comments on the proposed project and all persons who do so may, at the discretion of the presiding officer, be questioned by others present. 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 be on Ohio EPA's interested parties mailing list for this project or 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 by the close of business on May 16, 2006. Comments received after this date may not be accepted as part of the official record.

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE  
AIR CONTAMINANT SOURCE  
FOR CSI: HARVARD: LLC, Division of Mr. Excavator, Inc. (0243951359)**

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 Portable Crusher and Screening Plants permitted under PTI 16-02296 issued on June 24, 2003 and PTI 16-02305 issued on July 23, 2003. The air contaminant sources are currently located at 550 Harvard Ave., Cleveland, OH, and are authorized to move to 13700 McCracken Rd., Garfield Hts., 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.  
Dennis Bush, Ohio EPA Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087. Phone: (330) 963-1223.

**PUBLIC NOTICE  
OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
LEWCO, INC.**

On March 20, 2006, Ohio EPA issued final Findings and Orders to LEWCO, Inc. for its facility located at 706 Lane Street, Sandusky, Ohio 44870. This facility is a small quantity generator of hazardous waste. The EPA I.D. number for this facility is OHD004166419.

LEWCO, Inc. must achieve compliance with Chapter 3734 of the Ohio Revised Code and the regulations promulgated thereunder according to the detailed compliance schedule which outlines civil penalties and payments. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Fairfield County**

**PUBLIC NOTICE**  
**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT**  
**SOURCE FOR SHELLY MATERIALS PORTABLE GENERATOR 21.0293**  
**(0664960034)**

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 275 HP portable diesel-fired generator permitted under PTI 06-07830 issued on July 26, 2005. The air contaminant source is currently located at 5441 Casey Rd, Mechanicsburg, OH and is authorized to move to 3232 Logan-Lancaster Rd., SE, Lancaster, 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, Division of Air Pollution Control, 2195 Front St., Logan, OH 43138. (740) 385-8501.

**Franklin County**

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT SOURCE FOR **SIDWELL MATERIALS 3456 CAT Generator 2 (0660960046)****

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 Diesel Generator permitted under PTI 06-07863 issued on September 8, 2005. The air contaminant source is currently located at 5441 Casey Rd., Mechanicsburg, OH, and is authorized to move to 2650 Old Dublin Rd., Hilliard, 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.

**Franklin County**

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT SOURCE FOR **SIDWELL MATERIALS IROC CRUSHER (0607020190)****

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 17-1583 issued on December 3, 1998. The air contaminant source is currently located at 5441 Casey Rd., Mechanicsburg, OH, and is authorized to move to 2650 Old Dublin Rd., Hilliard, 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 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

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.

**Guernsey County**

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE FOR MAR-ZANE PLANT 10 (0660010027)**

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 290 TPH Drum Mix Asphalt Plant and associated equipment permitted under PTI 06-06871, issued on May 23, 2002, PTI 06-07223, issued on October 23, 2003, and PTI 06-06494, issued on September, 23, 2004. The air contaminant source is currently located at State Route 93, Oakhill, OH and is authorized to move to 59903 Vocational Rd., Byesville, 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, Division of Air Pollution Control, 2195 Front St., Logan, OH 43138. (740) 385-8501.

**PUBLIC NOTICE  
OHIO EPA ISSUES EXTENSION TO COMMENT PERIOD FOR  
KLOR KLEEN, INC., CINCINNATI, OHIO**

On January 19, 2006, Ohio EPA issued a draft renewal Hazardous Waste Facility Installation and Operation Permit (Permit) to Klor Kleen, Inc. for its facility at 3118 Spring Grove Avenue, Cincinnati, Ohio 45225. The EPA Identification Number for this facility is OHD980821862. Klor Kleen, Inc. is engaged primarily in the storage of hazardous waste on an epoxy-coated concrete pad and wishes to continue to store hazardous waste in containers. The comment period has been extended to March 23, 2006. You may 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](mailto: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:

***Public Library of Cincinnati and Hamilton County, Clifton Branch***, 351 Ludlow Avenue, Cincinnati, Ohio 45220, (513) 369-4447;

***Ohio EPA, Southwest District Office***, 401 East Fifth Street, Dayton, Ohio 45402, (937) 285-6357; 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 renewal Permit. If you commented on the draft renewal Permit, Ohio EPA will send you a copy of the "response to public comments" and the final permit decision.

**Date of Public Notice: March 27, 2006**

**Harrison 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 that involves construction of a surface coal mine operation on lands previously affected by coal mining. The application was submitted by Oxford Mining Company, Inc., 544 Chestnut Street, P.O. Box 427, Coshocton, Ohio 43812. The project is located in Sections 10, 15, 16, 17, 18, 22, 23 and 24 in Township 10 North, Range 5 West, Cadiz Township, Harrison County, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is 200401249. The Ohio EPA ID Number for this project is 062560.

As required by the Anti-degradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact approximately 25.88 acres of jurisdictional wetlands, 17.59 acres of isolated wetlands (waters of the state), 441 linear feet of perennial stream, 20,701 linear feet of intermittent stream, and 1,813 linear feet of ephemeral stream. The applicant's proposed minimal degradation alternative if approved would impact approximately 15.78 acres of jurisdictional wetlands, 12.93 acres of isolated wetlands (water of the state), 236 linear feet of perennial stream, 14,800 linear feet of intermittent stream, and 1,813 linear feet of ephemeral stream. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of adjacent isolated wetlands and tributaries to Standingstone Fork and Brushy Fork, both tributaries to Stillwater 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). 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 of the Antidegradation Rule apply or may be granted by the Director of Ohio EPA.

Starting March 27, 2006, 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 April 26,

2006. 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.

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE FOR R.W. Sidley, Inc. (0243000044)**

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 Crusher and Screening Plant permitted under PTI 02-15215 issued on July 12, 2001. Request to relocate the portable source was received by this agency on February 6, 2006 regarding the proposed relocation of F005 - Portable Eagle Crusher 90 TPH to 436 Casement Ave., Painesville, OH 44077 and is authorized to relocate 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.  
Dennis Bush, Ohio EPA Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087. Phone: (330) 963-1223.

**Lucas County**

**PUBLIC NOTICE  
OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
MORROW PLATING COMPANY**

On March 6, 2006, Ohio EPA issued final Findings and Orders to Morrow Plating Company for its facility located at 966 Oak Street, Toledo, Ohio 43605. This facility is a small quantity generator of hazardous waste. The EPA I.D. number for this facility is OHD005035209.

Morrow Plating Company must achieve compliance with Chapter 3734 of the Ohio Revised Code and the regulations promulgated thereunder according to the detailed compliance schedule which outlines civil penalties and payments. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Marion County**

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE FOR S&S AGGREGATES PLANT #17 (0660010247)**

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 Crusher and Screening Plant permitted under PTI 06-06930, issued on November 5, 2002, and PTI 06-07167, issued on June 12, 2003. The air contaminant source is currently located at 2406 South Section Line Rd., Delaware, OH, and is authorized to move to 668 Likens Rd., Marion, 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: March 21, 2006**

**Medina County, Ohio**

**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 proposing to upgrade the existing I-71/I-76/U.S. 224 Interchange in southern Medina County, Ohio. The upgrade would eliminate poor sight distances and difficult merging patterns at the interchange and would allow for continuous, efficient, and safe transportation when making the transition from I-71 to I-76. The proposed modification would include construction of four new direct connection ramps and the replacement of two existing ramps. The proposal would result in impacts to 1, 276 feet of two unnamed tributaries of Chippewa Creek and 0.12 acres of five jurisdictional wetlands. The application was submitted by the Ohio Department of Transportation. The proposed project is located within unnamed tributaries of Chippewa Creek and their adjacent wetlands at the existing I-71/I-76/U.S. 224 Interchange between Seville and Westfield Center, Medina County, Ohio. The Huntington District of the U.S. Army Corps of Engineers Number for this project is 200300113. The Ohio EPA ID Number for this project is 052510.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative, if approved, would involve the placement of 0.27 acres of permanent fill materials within the jurisdictional limits of five wetlands. Stream impacts to the two unnamed tributaries of Chippewa Creek will be 1,276 feet. The applicant's proposed minimal degradation alternative, if approved, would have a total impact of 0.079 acre of wetlands. The minimal degradation alternative has many of the same impacts on streams as the Preferred Alternative. A total of 471 feet of stream would be bridged instead of crossed by roadway embankment and culverts. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality to the Tuscarawas River Watershed (05040001). The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

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

Starting March 21, 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 Thursday, April 20, 2006. 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.

**Monroe County**

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT SOURCE FOR STALDER CONCRETE LLC (0656970007)**

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 a portable 150 cubic yard per hour concrete batch plant permitted under PTI # 17-1290 issued on July 27, 1994. The air contaminant source is currently located at 66760 Belmont Morristown Road, Morristown, OH 43793 and is authorized to move to 47090 State Route 26, Woodsfield, OH 43793 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, Division of Air Pollution Control, 2195 Front St., Logan, OH 43138. (740) 385-8501.

**Morgan County**

**PUBLIC NOTICE  
OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
DRAPER, INC.**

On March 17, 2006, Ohio EPA issued final Findings and Orders to Draper, Inc. for its facility located at 13<sup>th</sup> and Echo Street, Malta, Ohio. This facility is a small quantity generator of hazardous waste. The EPA I.D. number for this facility is OHR000120346.

Draper, Inc. must achieve compliance with Chapter 3734 of the Ohio Revised Code and the regulations promulgated thereunder according to the detailed compliance schedule which outlines civil penalties and payments. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE  
OHIO EPA ISSUES DRAFT CLASS 3  
HAZARDOUS WASTE PERMIT MODIFICATION**

On March 24, 2006, Ohio EPA issued a draft Class 3 hazardous waste facility installation and operation permit (Permit) modification to the U.S. Department of Energy's Portsmouth Gaseous Diffusion Plant (U.S. DOE Portsmouth) for its facility at 3930 U.S. Route 23 South, Piketon, Ohio 45661. The EPA Identification Number for this facility is OH7890008983.

**Why is U.S. DOE Portsmouth Modifying its Permit?**

The U.S. DOE Portsmouth Plant was used to enrich uranium until 2001. The hazardous waste permit authorizes the facility to store hazardous waste in containers. U.S. DOE Portsmouth is requesting a Class 3 modification to change the contractor serving as co-operator of the facility from Bechtel Jacobs Company, LLC to LATA Parallax Portsmouth, LLC (LLP). The draft Permit modification contains the conditions under which the facility must operate if the Permit receives final approval. To issue this draft Permit modification, 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 Permit modification will allow U.S. DOE Portsmouth 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.epa.state.oh.us/dhwm/>

**When and where will Ohio EPA hold a public meeting?**

You may request Ohio EPA to hold a public meeting for this draft permit modification. You should send your request to: Ohio EPA, 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) 728-1425, e-mail: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us) If the request is granted, Ohio EPA will announce the time and location of the public meeting.

**When and how do I submit written comments?**

You can submit written comments anytime between March 26, 2006 and May 10, 2006. 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](mailto:dhwmcomments@epa.state.oh.us).

**Where can I review the Permit application and draft Permit modification?**

You can review these at one of the following locations:

**U.S. DOE Environmental Information Center**, 11752 State Route 104, Waverly, Ohio 45690,  
(740) 289-3317;

**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 Permit modification, 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 a copy of the "response to public comments" and the final permit decision.

**Stark County**

**PUBLIC NOTICE**  
**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT**  
**SOURCE FOR SHELLY MATERIALS PLANT 6 (0664980003)**

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 400 TPH Drum Mix Asphalt Plant and associated units permitted under PTI 06-07732 issued on March 7, 2006. The air contaminant source is authorized to move to 3848 Erie SW, Massilon, 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, Division of Air Pollution Control, 2195 Front St., Logan, OH 43138. (740) 385-8501.

**PUBLIC NOTICE  
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a Consent Order with Caven S. McLoughlin (Defendant) to resolve allegations of violations of ORC Chapter 6111 associated with NPDES permit violations at the Bet-Mar mobile home park. The complaint was filed by the State of Ohio, Trumbull County Court of Common Pleas case number 01-CV-2623. The proposed Consent Order addresses the following issues: that the Defendant will immediately comply with requirements of ORC Chapter 6111 and gives a construction schedule for the Bet-Mar mobile home park to connect to the Trumbull County sanitary sewer system. Also, the proposed Consent Order stipulates that the Defendant will pay a civil penalty of fifteen thousand dollars (\$15,000) and pay additional penalties if connection to the Trumbull County sanitary sewer system is delayed.

Copies of the Consent Order can be obtained from the Ohio EPA, Northeast District Office, by calling the Division of Surface Water Enforcement Supervisor at (330) 963-1200 or by writing to:

Ohio EPA, Northeast District Office  
Attn: DSW Enforcement Supervisor  
2110 East Aurora Road  
Twinsburg, Ohio 44087

Written comments should be submitted to Ohio EPA, Northeast District Office at the above address. Written Comments should be submitted on or before April 28, 2006.

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 March 29, 2006. Both the State of Ohio and Caven S. McLoughlin reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

**Wood County**

**PUBLIC NOTICE**

**ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT SOURCE FOR SHELLY MATERIALS PORTABLE PLANT #6 (0857043027)**

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 Cedarapids Impact Crusher and 5'x16' Eljay Screen permitted under PTI 08-2956 issued on June 30, 1994. The air contaminant source is currently located at 4704 State Route 292 South, Zanesfield, OH and is authorized to move to 8812 Fremont Pike, Perrysburg, 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, Division of Air Pollution Control, 2195 Front St., Logan, OH 43138. (740) 385-8501.