

## **PUBLIC NOTICE**

### **FINAL ISSUANCE OF CERTIFICATE OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE**

Notice is hereby given that on August 29, 2006, the director of Ohio EPA issued an infectious waste transporter certificate to Healthcare Waste Solutions of PA LLC, 380 Locust St, McKeesport, PA 15132, ID No.: 00-T-00286. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215.

## **PUBLIC NOTICE**

### **ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION**

Notice is hereby given that on August 30, 2006, the director of Ohio EPA issued seven certificates of registration as transporter of scrap tires to Tire Town Inc., 401 S. 2<sup>nd</sup> St., Leavenworth, KS 66048. This action of the director of Ohio EPA is final and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. 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 of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA request that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621. This action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

## PUBLIC NOTICE

### OHIO ENVIRONMENTAL PROTECTION AGENCY RENEWAL OF CERTIFIED PROFESSIONAL CERTIFICATION UNDER OHIO'S VOLUNTARY ACTION PROGRAM

Notice is hereby given that on August 30, 2006, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued a renewal of certification to the following: **Julie K. Hewlett, CP 111.**

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 any renewal certificate, or any documents related to the certification, please contact Debi Tavizon, Records Management, 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**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
**Hobart Brothers Lagoon**

Notice is hereby given that on August 28, 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 Covenant Not To Sue/Final Findings and Orders to Hobart Brothers Company for the property identified as the Hobart Brothers Lagoon property (the "Property").

Hobart Brothers Company conducted a voluntary action of the approximately 4.594-acre property located between 439 na 507 North Elm Street, Troy, Miami County, Ohio. A no further action letter was submitted on January 27, 2006 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Hobart Brother Company by Oren Gottlieb, a Certified Professional (CP123), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

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

If you would like to review a copy of the Covenant Not To Sue/Final Findings and Orders, please contact Debi Tavizon, Records Manager, 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: August 21, 2006**

**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 reconstruct 168 linear feet of armor stone revetment and installation of 188 linear feet armor stone breakwater. The project is located at 33 Poplar Street, 1910 and 1912 Lake Avenue, Huron, Erie County, Ohio. Applications were submitted by:

Timothy N. & Elaine E. Dembinski  
8037 Steven David Drive  
Strongsville, Ohio 44149  
ACOE Public Notice Number (B)2006-00472(0)  
Ohio EPA ID Number 052513

Wayne E. Jr. & Roberta Weiler  
1910 Lake Avenue  
Huron, Ohio 44839  
ACOE Public Notice Number (B)96-475-0002(2)  
Ohio EPA ID Number 062528

Robert H. & Linda L. Miller  
1912 Lake Avenue  
Huron, Ohio 44839.  
ACOE Public Notice Number (B)2006-00974(0)  
Ohio EPA ID Number 062911

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would construct 188 linear feet of armor stone breakwater on a 2:1 slope and to reconstruct 168 linear feet of armor stone revetment. Total of 1901 cubic yards of fill below OHW. The applicant's proposed minimal degradation alternative, if approved, would construct 188 linear feet of armor stone breakwater on a 1.5:1 slope and to reconstruct 169 linear feet of armor stone revetment. Total of 1,740 cubic yards of fill below OHW. 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 of 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 August 21, 2006, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available at the Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality at 6:30 p.m. on October 3, 2006 at the Huron Council Chambers, 417 Main Street, Huron, Ohio 44839. 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 October 10, 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 October 10, 2006.

**PUBLIC NOTICE**

**DIRECTOR'S UNILATERAL FINAL FINDINGS AND ORDERS**

Notice is hereby given that on August 28, 2006, the director of Ohio EPA issued Final Findings and Orders to Mr. Bruce Clark ("Respondent"), whose last known residence is 65 South Chestnut Street, Jackson, Ohio 45640. The Respondent is the owner of a parcel of land that comprises approximately 4 acres that was identified in the records of the Jackson County Recorder's Office as parcel number G11-001-00-005-00. The parcel is located on Caves Road, Jackson, Jackson County, Ohio (the "Property"). These Findings and Orders are issued to resolve violations of the State's solid waste and scrap tire laws and regulations at the Property. The text of the Findings and Orders is set forth below. These Findings and Orders require Respondent to achieve compliance with ORC Chapter 3734 and the rules promulgated thereunder according to the following compliance schedule: 1. On the effective date of the Orders, implement mosquito control measures at the Property and provide copies of mosquito control records to Ohio EPA within ten (10) days after each application of the registered pesticide, larvicide, or adulticide. 2. Not later than thirty (30) days after the effective date of the Orders, establish scrap tire storage piles and fire lanes at the Property. 3. Not later than one hundred twenty (120) days after the effective date of the Orders, remove or cause the removal of all scrap tires from the Property and arrange for their transportation, by a registered scrap tire transporter, to a scrap tire storage, monofill, monocell, or recovery facility or to any other solid waste disposal facility in another state that is operating in accordance with the laws of that state and that is authorized to accept scrap tires for disposal. 4. Obtain receipts from the registered transporter and the authorized scrap tire facility or solid waste disposal facility indicating weight, volume or number of scrap tires transported and forward such documentation to Ohio EPA with seven (7) days after completion of No. 3 above. 5. Continue to comply with Nos. 1 and 2 above until such time as all scrap tires have been removed from the Property. These Final Findings and Orders are subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 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. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

**Date of Public Notice: August 21, 2006**

**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 recreational lake at an existing church. The application was submitted by First Baptist Church, 518 North Street, Caldwell, OH 43747. The project is located along County Road 40, Olive Township, Noble County. The Huntington District of the U.S. Army Corps of Engineers Number for this project is 200500134. The Ohio EPA ID Number for this project is 062649.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 715 feet of Class 2 headwater and fill 0.15 acres of wetland. The applicant's proposed minimal degradation alternative, if approved, would impact 715 feet of Class 2 headwaters. 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 of West Fork Duck Creek watershed. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

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

Starting August 21, 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.

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.