

**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(G) has adopted amended rules: 3745-35-01, "Definitions"; 3745-35-02, "Permits to operate"; 3745-35-03, "Variances"; 3745-35-04, "General Policy"; 3745-35-05, "Permit exemptions and registration status"; 3745-35-06, "Permits to operate for grain and feed processing operations and fertilizer mixing operations"; 3745-35-07, "Federally enforceable limitations on potential to emit"; and 3745-35-08, "General Permit to Operate"; of the Ohio Administrative Code ("OAC").

These rules establish the requirements for and regulate Permits-to-Operate for air pollution sources.

The primary purpose of this rulemaking is to create consistency between definitions and terminology used in OAC Chapter 31 (new source review rules), to update references to incorporated materials to comply with the requirements of section 121.72 of the Revised Code for incorporated materials, to update the administrative section of the rules, and to make other minor changes to comply with the Legislative Service Commission's formatting and grammar requirements.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally proposed them. On August 15, 2006, these rules went out for a 30 day review by interested parties. Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes was conducted on September 21, 2006, in Columbus, Ohio. There were no comments received during the comment periods. The Director's order of adoption was issued on October 24, 2006. The effective date of these rules is November 3, 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 Jennifer Nichols, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Jennifer Nichols at 614-644-3696. The rule(s) are available on the Web page for electronic downloading. 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 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 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. 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. Ohio EPA also

requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.

**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(E) has adopted amendments rules 3745-101-01 to 3745-101-04 of the Ohio Administrative Code ("OAC"), and rescinded existing OAC rules 3745-101-05 to 3745-101-20. Two new rules will be promulgated by moving the text of rescinded rules 3745-101-14 and 3745-101-17 and creating new OAC rules 3745-101-05 and 3745-101-06. These rules are related to the requirements in section 176(c) of the Clean Air Act requiring conformity of transportation plans and projects funded or approved by the Federal Highway Administration ("FHWA") or the Federal Transit Administration ("FTA") to the Ohio State Implementation Plan approved under section 110 of the Clean Air Act.

The primary purpose of this rulemaking is to address changes made by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) legislation and Incorporation by Reference.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally proposed them. On March 14, 2006 these rules went out for a 30 day review by interested parties. Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes was conducted on September 21, 2006, in Columbus, Ohio. There were no comments received during the comment period. The Director's order of adoption was issued on Tuesday, October 24, 2006. The effective date of these rules is Friday, November 3, 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 Sam MacDonald, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Sam MacDonald at 614-728-1743 The rules are available on the Web page for electronic downloading. The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>.

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**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 ("ORC") Section 3704.03 has adopted amendments to rules 3745-102-01 to 3745-102-06 of the Ohio Administrative Code ("OAC"). These rules are related to the requirements in section 176(c) of the Clean Air Act requiring conformity of general federal actions to the Ohio State Implementation Plan approved under section 110 of the Clean Air Act.

The primary purpose of this rulemaking is to add and revise language to incorporate materials required by the ORC 121.72 for incorporation by reference. The authorizing and amplifying statutes have also been updated for accuracy and clarity.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally proposed them. On August 16, 2006 the proposed rules went out for a 30 day review by interested parties.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes was conducted on September 21, 2006, in Columbus, Ohio. There were no comments received during the hearing or comment period. The Director's order of adoption was issued on Tuesday, October 24, 2006. The effective date of these rules is Friday, November 3, 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 Sam MacDonald, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Sam MacDonald at 614-728-1743. The rules are available on the Web page for electronic downloading. 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 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 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. 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. 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
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL OF LABORATORY CERTIFICATION UNDER OHIO'S VOLUNTARY
ACTION PROGRAM**

Notice is hereby given that on October 23, 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 Merit Laboratories, Inc., ("Merit") of 2680 East Lansing Drive, East Lansing, Michigan. The certification number assigned to Merit remains CL0002.

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.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
ADDITIONAL LABORATORY CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM

Notice is hereby given that on October 23, 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, granted Lancaster Laboratories, Inc. ("Lancaster") application for certification to perform analyses for additional analyte and method. The Director issued Lancaster's certification to perform analyses for the following: Hexavalent Chromium. The additional certification supplements Lancaster's current certification under Ohio's Voluntary Action Program. Their certification number remains CL0070.

The issuance of the additional 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, Suite 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.

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
City of Springfield/ Former Steel Products Engineering Company (SPECO) -
Kelsey-Hayes Manufacturing Facility Property

Notice is hereby given that on October 25, 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 the City of Springfield for the property identified as the Former Steel Products Engineering Company (SPECO) - Kelsey-Hayes Manufacturing Facility Property (the “Property”).

The City of Springfield conducted a voluntary action of the 5.834 acre property located at 1205 West Columbia Street, Springfield, Clark County, Ohio. A no further action letter was submitted on June 8, 2006 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of the City of Springfield by Craig Kasper, a Certified Professional (CP103), 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 Management, 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 EPA Issues Preferred Plan for
North Guernsey Street Site, Bellaire, Ohio;
Public Meeting to be held**

On October 23, 2006, Ohio EPA issued a Preferred Plan concerning the North Guernsey Street Site located at 4900 North Guernsey Street in Bellaire, Ohio (Belmont County). The Preferred Plan summarizes the history of the site and the investigation of contamination at the site, provides an analysis of the feasibility of remedial alternatives, and outlines Ohio EPA's preferred alternative for remediation.

The site was previously used for bulk chemical and petroleum storage and distribution. As a result of operations at the site, soils and ground water were contaminated with solvents and petroleum products. A removal action was conducted in 1997 to remove the contaminated soils. The preferred alternative includes natural attenuation to address the residual ground water contamination and an environmental covenant to prevent exposure to contaminated ground water.

Ohio EPA will hold a public meeting on Tuesday, December 5, 2006, to answer questions and to accept comments on the Preferred Plan. The public meeting will begin at 6:30 P.M. at the Bellaire Administration Building, second floor, located at 3197 Belmont St. in Bellaire, Ohio 43906. The public meeting will begin with an information session during which Ohio EPA will present a summary of the Preferred Plan and answer questions. After the information session the public can submit oral or written comments for the record regarding the Preferred Plan.

In addition, Ohio EPA will accept written comments through December 12, 2006. Anyone may submit written comments on the Preferred Plan by writing to: Kristin Vanecko, Site coordinator, Ohio EPA, Southeast district office, 2195 Front Street, Logan, Ohio 43138. Comments can also be faxed to Kristin Vanecko at (740) 385-6490 or e-mailed to her at kris.vanecko@epa.state.oh.us. Ohio EPA will consider all comments before taking a final action.

A copy of the Preferred Plan has been provided to the Bellaire Public Library, located at 330 32nd Street, Bellaire, Ohio 43906. The Preferred Plan and related documents are available for review at Ohio EPA's Southeast district office by contacting Angie Hardesty at (740) 380-5415 or angie.hardesty@epa.state.oh.us for an appointment.

PUBLIC NOTICE

**OHIO ENVIRONMENTAL PROTECTION AGENCY
ISSUANCE OF DRAFT PERMITS TO OPERATE
PUBLIC INFORMATION SESSION
PUBLIC HEARING**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has issued on October 25, 2006, two (2) Draft Permits to Operate (PTOs), numbers UIC 05-09-001-PTO-I and UIC 05-09-002-PTO-I to AK Steel Corporation, Ohio. The Draft Permits are for Class I Hazardous Injection Wells Numbers 1 and 2 at the AK Steel facility located at 1801 Crawford Street, Middletown, Ohio. These proposed permits have been issued in draft form by the Director pursuant to Section 6111.044 of the Revised Code.

Notice is hereby given that Ohio EPA will conduct an Information Session and Public Hearing on Thursday, November 30, 2006, at 7p.m. The public hearing will immediately follow. The information session and hearing will be held at the City of Middletown's Council Chambers at One Donham Plaza, Middletown, Ohio.

Ohio EPA's draft PTOs are issued to meet state requirements and regulations, found in Chapter 6111. of the Revised Code and Chapter 3745-34 of the Ohio Administrative Code. The draft action proposes to allow continued use of the AK Steel Wells Number 1 and Number 2 with some revised permit conditions and requirements. These wells are used by AK Steel for disposal of wastes generated from on site steel pickling activities. Steel pickling is the process of chemically removing scale from the surfaces of steel prior to final processing. These wastes include a mixture of iron salt, residual hydrochloric acid, and water.

During the information session, Ohio EPA will provide information and answer questions regarding Ohio EPA's draft actions. At the public hearing, the public may present testimony to the hearing officer. All persons are entitled to attend or be represented and give written or oral comments on the draft actions at the public hearing.

Written comments on the draft permits may be submitted at the hearing or mailed to Ohio EPA, Division of Drinking and Ground Waters, Attn: UIC Unit Supervisor, P.O. Box 1049, Columbus, Ohio 43216-1049. **All comments received on or before Friday, December 8, 2006, will be considered part of the administrative record and will be considered prior to the final decision on issuance of the two permits.**

Persons desiring to receive notice of further proceedings, copies of fact sheets and other information relating to the above referenced permits may contact Ohio EPA, Division of Drinking and Ground Waters, P.O. Box 1049, Columbus, Ohio 43216-1049, Attn: Jess

Stottsberry, (614) 644-2752. Copies of the draft permits may be inspected at the Middletown Public Library, 125 S. Broad Street, Middletown, OH, (513) 424-1251; at the Ohio EPA's Southwest District Office, 401 E. Fifth Street, Dayton, OH, (937) 285-6357; or at Ohio EPA, Central Office, 122 South Front Street, Columbus, OH (614) 644-2752, by first contacting Jess Stottsberry.

Columbiana County

PUBLIC NOTICE

Ohio EPA Director Issues Final Findings and Orders for Nease Chemical Superfund Site, Salem, Ohio

On October 26, 2006, the Director of the Ohio Environmental Protection Agency (Ohio EPA) issued as a final action Director's Final Findings and Orders to Rutgers Organics Corporation (Rutgers) to recover Agency oversight/response costs for remedial design at operable unit (OU) 2 of the Nease Chemical Superfund Site (the Site), located 2 ½ miles northwest of the town of Salem, in Columbiana County, Ohio. U.S. EPA issued a Record of Decision for OU 2 on September 29, 2005 and entered into an administrative settlement with Rutgers on May 10, 2006 to design a remedy to protect public health and safety and the environment from the disposal, discharge, or release of Waste Material at OU 2. This order requires Rutgers to pay Ohio EPA's past and future response costs related to the support provided by Ohio EPA for remedial design required under the U.S. EPA orders.

This action of the Director is final and may be appealed 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 the appellant(s) 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 with the Environmental Review Appeals Commission at the Environmental Review Appeals Commission 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

The Director's Final Findings and Orders, and related documents, are available for review at Ohio EPA's Northeast District Office by contacting Lily Aaron (at 330-963-1290 or lily.aaron@epa.state.oh.us) for an appointment.

Date of Public Notice: October 2, 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 applications for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 water quality certification and an isolated wetlands permit for a project that involves construction of a surface coal mine. The application was submitted by the Penn Ohio Coal Company, dba Kimble Clay and Limestone, 3596 State Route 39 NW, Dover, Ohio 44622. The project is located along Patterson Road - State Route 151, just east of Dennison in the First and Third Quarter and Sections 7, 8, 13 and 14 in Township 14 North, Range 7 West, Monroe Township, Harrison County, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is 200300397. The Ohio Department of Natural Resources permit number is 2166-1. The Ohio EPA ID Numbers for this project are 062901 (401 water quality certification) and 062954 (isolated wetlands permit).

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 0.258 acres of jurisdictional wetland, 0.014 acres of isolated wetland and 2,816 linear feet of intermittent streams. The applicant's proposed minimal degradation alternative, if approved, would impact 0.038 acres of jurisdictional wetland, 0.014 acres of isolated wetland, and 859 linear feet of intermittent streams. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the State. The isolated wetland impacts are being reviewed under a general permit review process separate from the individual water quality certification review process for the jurisdictional wetland and stream impacts.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of adjacent and isolated wetlands and unnamed tributaries to Little Stillwater Creek in the Tuscarawas River watershed (HUC 05040001 160 040). 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 (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting October 2, 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 November 1, 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

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO
VEXOR TECHNOLOGY, INC.**

On October 23, 2006, Ohio EPA issued final Findings and Orders to Vexor Technology, Inc. for its facility located at 955 West Smith Road, Medina, Ohio. This facility received unmanifested hazardous waste and stored hazardous waste at the facility without a permit. The EPA I.D. number for this facility is OHD077772895.

Vexor Technology, 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 APPROVES POST-CLOSURE PLAN FOR
PARKER HANNIFIN CORPORATION**

On October 23, 2006, Ohio EPA approved a post-closure plan for the Parker Hannifin Corporation for its surface impoundment unit located at 11197 US Route 23, Waverly, Ohio. The EPA I.D. number for this facility is OHD046426409.

Pursuant to Ohio Revised Code rule 3745-55-11, 12 & 18, the facility's post closure plan submitted on August 3, 2006 was approved as outlined in the Director's October 23, 2006 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

PUBLIC NOTICE

OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On October 25, 2006, Ohio EPA issued a final modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Vickery Environmental, Inc. for its facility at 3956 State Route 412, Vickery, Ohio 43464. The EPA Identification Number for this facility is OHD020273819.

Why is Vickery Environmental, Inc. modifying its Permit?

Vickery Environmental, Inc. is permitted to operate hazardous waste container and tank units and other related hazardous waste management units at its facility. Vickery wants to: 1) modify its tank system without increasing the capacity of the unit; 2) update drawings for the piping system as well as the performance curves for pumps associated with the transfer system; and, 3) a Temporary Authorization was issued to begin the earthwork, concrete and reinforcement work for the upgrade to a double-walled piping system before the end of the construction season. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

Can I appeal this final modified Permit?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

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

If you file an appeal, you must put it in writing no later than November 25, 2006. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. 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. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. You must file your appeal, according to Ohio Revised Code § 3745.04 with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Joseph P. Koncelik, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.