

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

Notice is hereby given that, on behalf of the State Emergency Response Commission, the Director of Environmental Protection, under the authority of Ohio Revised Code (ORC) Section 3750, Emergency Planning has adopted amended rules 3750-1-02 and 3750-25-01 of the Ohio Administrative Code.

The primary purpose of this review is to satisfy the requirements of ORC 119.032 (five-year review) and to amend SERC rule 3750-25-01 to be consistent with and equivalent in scope, content, and coverage with the USEPA Final Rule "Administrative Reporting Exemption for Certain Air Releases of NOx" as documented in Federal Register, Volume 71, No. 192, Wednesday, October 4, 2006.

OAC 3750-1-02, "Purpose" for the purpose of including the "incorporation by reference" language within the rule body.

OAC 3750-25-01, "Facilities Subject to Emergency Release Notification Requirements" to be consistent in scope, content, and coverage to the Federal Emergency Planning and Community Right-to-Know Act (EPCRA). USEPA amended its 40 CFR 302.6 and 355.40 notification requirements by broadening the existing reporting exemptions for releases that are the result of combustion of less than 1,000 pounds of nitrogen oxide and less than 1,000 pounds of nitrogen dioxide to the air in 24 hours in final rule October 4, 2006.

A public hearing on the proposed amendments was held on April 25, 2007 in Columbus, Ohio. There were no comments received during the comment period and no changes were made to the proposed rules as a result of public comment. The Director's order of adoption was issued on June 6, 2007. The effective date of these rules is June 18, 2007.

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. Jeff Beattie, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Beattie at 614-644-2269. The rules are available on the Web page for electronic downloading by going to the State Emergency Response Commission web site at [www.epa.state.oh.us/dapc/serc/](http://www.epa.state.oh.us/dapc/serc/).

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.

**Division of Surface Water  
Credible Data (Volunteer Monitoring) Program  
Qualified Date Collector Approvals  
All Effective 6/01/07**

Name Organization	Level / Specialty	Expiration Date
Seth Hothem (#010) Northeast Ohio Regional Sewer Dist.	Level 3 / Fish Community Biology & QHEI	5/31/09
Maria Tomashot (#064) Butler County Stream Team	Level 2/ Chemical Water Quality Assessment	5/31/12
Julie Hambrook Berkman (#065) U.S. Geological Survey	Level 3 / Chemical Water Quality Assessment	5/31/09
Robert McCall (#066) OSU Extension - Findlay	Level 2 / Chemical Water Quality Assessment	5/31/12
Katelyn Jacobs (#067) Clinton Streamkeepers	Level 1	NA
Andrew Young (#068) Clinton Streamkeepers	Level 1	NA
Austin Rankin (#069) Clinton Streamkeepers	Level 1	NA
Alyssa Vance (#070) Clinton Streamkeepers	Level 1	NA
Joshua Wallace (#071) Clinton Streamkeepers	Level 1	NA
Brandyn Hazelwood (#072) Clinton Streamkeepers	Level 1	NA
Christopher Stroud (#073) Clinton Streamkeepers	Level 1	NA
Allen Fawley (#074) Clinton Streamkeepers	Level 1	NA
Celine Hemminger (#075) Clinton Streamkeepers	Level 1	NA
Timothy White (#076) Clinton Streamkeepers	Level 1	NA

**Date of Public Notice: June 15, 2007**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF ISOLATED WETLAND PERMIT  
APPLICATION (LEVEL 2)**

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, an Isolated Wetland Permit (Level 2) for a project to fill 1.14 acres of isolated wetlands to construct a Wal-Mart retail store and associated parking areas. The application was submitted by Wal-Mart Stores East, LP, 2001 SE 10<sup>th</sup> St, Bentonville, AZ 72716. The project is located north of State Route 81 (Allentown Rd) and east of Cable Road, Lima, Allen County, Ohio. The Ohio EPA Number for this project is 073129.

The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Ohio Revised Code (ORC) Sections 6111.02 to 6111.028 and other applicable provisions of state laws. Other alternatives as proposed by the applicant resulting in less adverse impact to the isolated wetland ecosystem, will be considered by Ohio EPA during the review process.

Starting June 15, 2007, copies of the application and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 50 West Town Street, Suite 700, 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 20 days of the date of this public notice.

**PUBLIC NOTICE**

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

On May 29, 2007, Ohio EPA issued a final class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Von Roll America, Inc. for its facility at 1250 St. George Street, East Liverpool, Ohio 43920-3400. The EPA Identification Number for this facility is OHD980613541.

**Why is Von Roll America, Inc. modifying its Permit?**

Von Roll America, Inc. is permitted to operate a hazardous waste incinerator and other related hazardous waste management units at its facility. Von Roll America, Inc. wishes to permit the Truck Holding and Sampling area for storage of trailers of containerized waste and containers of bulk solid waste. This final action results into an additional 46,000 gallons of storage capacity. This final modified permit will allow Von Roll America, Inc. to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

**Can I appeal this final modified Permit?**

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

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

If you file an appeal, you must put it in writing no later than **June 29, 2007**. 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: ***Chris Korleski, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE**

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

On May 30, 2007, Ohio EPA issued a final class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Von Roll America, Inc. for its facility at 1250 St. George Street, East Liverpool, Ohio 43920-3400. The EPA Identification Number for this facility is OHD980613541.

**Why is Von Roll America, Inc. modifying its Permit?**

Von Roll America, Inc. is permitted to operate a hazardous waste incinerator and other related hazardous waste management units at its facility. Von Roll America, Inc. wishes to: 1) reduce the auditing frequency for lab pack waste generated off-site; 2) revise criteria for what constitutes minor and major lab pack discrepancies; 3) implement a procedure for tracking and evaluating lab pack discrepancies discovered during auditing and splitting activities; 4) implement a procedure for remediation if and when packing standards are not met; and, 5) change the title of Laboratory Chemist to Field Chemist. This final modified permit will allow Von Roll America, Inc. to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

**Can I appeal this final modified Permit?**

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

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

If you file an appeal, you must put it in writing no later than **July 2, 2007**. 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: ***Chris Korleski, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
KASPER ENTERPRISES, INC.**

On May 24, 2007, Ohio EPA issued final Findings and Orders to K-B Plating for its facility located at 3685 East 78<sup>th</sup> Street, Cleveland, Ohio 44105. This facility is a large quantity generator of hazardous waste. The EPA I.D. number for this facility is OHDD982066664.

K-B Plating, 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.

**Date of Public Notice: June 9, 2007**

**REVISED PUBLIC NOTICE  
NOTICE OF RECEIPT OF APPLICATION AND PUBLIC HEARING  
ANTIDegradation  
FACILITY ADDRESS CORRECTION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has received an application for the renewal of a National Pollutant Discharge Elimination System (NPDES) permit for the discharge from the City of Hillsboro wastewater treatment facility. The application was submitted by the City of Hillsboro, 130 North High Street, Hillsboro, Ohio 45133.

The City of Hillsboro is requesting a general mercury variance for the wastewater treatment facility located at 1520 North High Street, Hillsboro, Highland County, Ohio. The proposed discharges are to Clear Creek

Other wastewater disposal alternatives resulting in lesser or no degradation or lowering of water quality will be considered by Ohio EPA.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of Clear Creek. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1, will not be exceeded. In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality.

Copies of the pending NPDES application are available for review at Ohio EPA's Southwest District Office, 401 East Fifth Street, Dayton Ohio 43138, (937) 285-6357. An Ohio EPA public hearing on the proposed project has been scheduled for 7:00 P.M. on June 26, 2007, at the Highland County Employment and Training Center, Room 27A, 1575 North High Street, Hillsboro, Ohio 45133. The public hearing will end when everyone in attendance has had an opportunity to provide testimony related to the project.

All interested persons are entitled to attend or be represented and give written or oral comments on the project. The purpose of the hearing is to obtain additional information that will be considered by the director of Ohio EPA prior to any further action on the applications. Persons wishing to 1) be on the Ohio EPA's interested parties mailing list for this project, or 2) submit comments for Ohio EPA's consideration must do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio

43216-1049 by close of business on July 3, 2007. Comments received after this date may not be considered as part of the official record.

**PUBLIC NOTICE**

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has issued as a final action an authorization to the City of Mansfield under Ohio Administrative Code § 3745-27-13 to engage in filling, grading, and excavating activities at the Former Masfield City Dump located at 535 Cairns Road, Mansfield, Richland County. The City of Mansfield's request for authorization is needed because to perform maintenance activities such as clearing, excavating and regrading areas of the landfill to alleviate ponding. In addition, the request for authorization will include the characterization and appropriate disposal of waste materials associated with the drums as well as the removal of drum carcasses.

The effective date of this action is June 5, 2007. The 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 filed with ERAC within thirty (30) days after notice of the Director's action. A copy of the appeal must be served upon the Director of Ohio EPA within three (3) days of filing at the ERAC. The ERAC's address is:

Environmental Review Appeals Commission  
309 South Fourth Street  
Room 222  
Columbus, OH 43215

A copy of the Director's authorization may be obtained from the Division of Emergency and Remedial Response, Ohio EPA, P.O. Box 1049, OH 43216-1049 or by contacting Ghassan Tafla of Ohio EPA, Northwest District Office, 347 N. Dunbridge Road, Bowling Green, OH 43402.