

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Permits to Install**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3734.02, 3734.021, 3734.12, 3734.73 the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rule of the Ohio Administrative Code:

3745-27-02 Permit to install.

Amendment

This rule addresses solid waste regulations.

The purpose of this rule making is to enact a previously effective appendix that was unintentionally left off the rule when it was amended in November 2007.

The public comment period will run until Monday, April 28, 2008. A public hearing on this proposed rule making will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held at Ohio EPA, 50 West Town Street, Suite 700, Columbus, Ohio 43215, 5th Floor, Conference Room C, April 28, 2008, at 10:00 a.m.

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule making.

Written testimony should be sent to the attention of Mandi Graham at the Division of Solid and Infectious Waste Management (DSIWM), P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on April 28, 2008, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Mandi Graham, at the Division of Solid and Infectious Waste Management, at (614) 728-5372.

To receive a copy of the proposed rule, please contact the DSIWM receptionist at (614) 644-2621. In addition, full copies of all proposed rules are available for review at any Ohio

EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on DSIWM web page at www.epa.state.oh.us/dsiwm.

**PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL AND UPDATED
LABORATORY CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on March 17, 2008 , 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 DataChem Laboratories ("DataChem") of 4288 Glendale-Milford Road, Cincinnati, Ohio.

Also, on that date, the Director granted DataChem's request to add to its certification Volatile Organic Compounds ("VOC") by method TO15A, and remove soil gas and air testing under its certification for VOCs by method 8260A and 8260B . The certification number assigned to DataChem remains CL0022.

You are hereby notified that 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 the 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 with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 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
SUSPENSION OF PORTION OF LABORATORY CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM

Notice is hereby given that on March 17, 2008 , the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code (OAC") 3745-300-04, issued Final Findings and Orders to Kemron Environmental Services ("Kemron") of 156 Starlite Drive, Marietta, Ohio, that suspend the laboratory's certification under Ohio's Voluntary Action Program to perform analyses for Organochlorinated Pesticides by method 8081A.

Kemron has been issued a revised laboratory certificate which reflects the suspension. Kemron may perform analyses only for those analytes, parameter groups, and methods identified in its revised certificate.

You are hereby notified that 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 the 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 with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 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 EPA ISSUES TEMPORARY AUTHORIZATION

On March 14, 2008, Ohio EPA issued a temporary authorization under its hazardous waste facility installation and operation permit (Hazardous Waste Permit) to PermaFix of Dayton, Inc. (Permafix) for its facility at 300 Cherokee Drive, Dayton, Ohio 45427. The EPA Identification Number for this facility is OHD004274031.

Why does Permafix need this temporary authorization?

Permafix is permitted to store hazardous waste at its facility in Dayton, Ohio. On November 30, 2007, Permafix submitted a Class 3A modification to its Hazardous Waste Permit requesting to identify OGM, Ltd., dba Clean Water, Ltd. to function as the owner and operator of its Dayton, Ohio facility. The temporary authorization provides this change prior to the issuance of the Class 3A permit modification.

Can I appeal this temporary authorization?

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 temporary authorization you have the right to appeal this decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final temporary authorization, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than April 21, 2008. 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.

Date of Public Notice: March 15, 2008

**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 water quality certification for a project to construct a private recreational water skiing lake (2300 feet long by 200 feet wide) with an emergency spillway, entrance drive and boat ramp. This project will be funded and developed by a private partnership, public funds will not be used. The application was submitted by MFL Properties, LLC., 7282 Infirmary Road, Ravenna, Ohio 44266. The project is located in Lots 48 and 49 between Freedom Road and Nichols Road directly west of the Smalley Road intersection in Freedom Township, Portage County, Ohio. The Pittsburgh District Corps of Engineers Public Notice Number for this project is 2007-227. The Ohio EPA ID Number for this project is 073204.

As required by the Antidegradation Rule, rule 3745-1-05 of the Ohio Administrative Code (OAC), three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 2.19 acres of wetland and 340 linear feet of stream. The applicant's proposed minimal degradation alternative, if approved, would impact 0.77 acres of wetland and 60 linear feet of stream. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Hinkley Creek and Sand Creek in the Mahoning River watershed. Ohio EPA will review the application, and decide whether to grant or deny the application, in accordance with OAC Chapters 3745-1 and 3745-32. In accordance with OAC rule 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of water quality. All three proposed alternatives will be considered during the review process. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting March 15, 2008, 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. Copies of the application and

technical support information can be made available upon request 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 April 28, 2008 at 5:30 p.m. at Windham Junior/Senior High School, 9530 Bauer Avenue, Windham, Ohio 44288. The public hearing will end when all interested parties have 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 proposed project. The purpose of the hearing is to obtain additional information that will be considered by Ohio EPA prior to any further action on the application.

Ohio EPA will continue to accept written comments on the application through the close of business on May 5, 2008. Comments received after this date may not be considered as part of the official record of the hearing. Anyone may submit written comments or requests to be placed on a mailing list for information by writing to: Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049.

PUBLIC NOTICE

**OHIO EPA RECEIVES HAZARDOUS WASTE AMENDED POST CLOSURE PLAN
AND REQUEST TO WITHDRAW PETITION TO END POST CLOSURE**

On March 13, 2008, Ohio EPA received a hazardous waste amended post closure plan and request to withdraw the petition to end post-closure care from Thomas Steel Strip Corporation, for its surface impoundment and three lime-stabilized waste pickle liquor (LSWPL) lagoons located at Delaware Avenue NW & Route 5, Warren, Ohio 44485. The EPA Identification Number for this facility is OHD077755213.

Why is Thomas Steel Strip submitting this amendment and petition withdrawal?

At the request of Ohio EPA, Thomas Steel Strip Corporation submitted this amended post closure plan. The post closure plan addresses a surface impoundment and three (3) pickle liquor lagoons. These units were certified closed in 2005. As part of the post-closure activities, the facility is required to have a ground water monitoring program. This amendment is to reflect an annual groundwater monitoring frequency rather than a semiannual monitoring frequency. The facility is also requesting to withdraw their petition to end post closure care.

When and how do I submit written comments about the amendment and petition withdrawal?

You can submit written comments anytime between March 21, 2008 and April 21, 2008. Send your comments 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) 728-1245, e-mail address: dhwmcomments@epa.state.oh.us.

Where can I review the amendment and petition withdrawal?

You can review the Post Closure Plan at the following locations:

Ohio EPA, Northeast District Office, 2110 Aurora Road, Twinsburg, Ohio 44087, tel: (330) 963-1200.

Ohio EPA, Division of Hazardous Waste Management, 50 West Town Street, Suite 700, Columbus, Ohio 43215 (614) 644-2977.