

**PUBLIC NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
**Tenneco Automotive – Tenneco Automotive**

Notice is hereby given that on April 21, 2008, 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 Tenneco Automotive for the property identified as the Tenneco Automotive property (the “Property”).

Tenneco Automotive conducted a voluntary action of the approximately 60.6043 acre-Property located at 17000 St. Clair Avenue, Cleveland, Cuyahoga County, Ohio. A no further action letter was submitted on August 16, 2005 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Tenneco Automotive by Mr. Eric M. Cherry, a Certified Professional (No. CP142), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

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 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, OH 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 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

The following permit is being issued on April 21, 2008 as a final action with an effective date of April 21, 2008. Final actions are actions of the Director which are effective upon issuance or a stated effective date. Pursuant to Ohio Revised Code Section 3745.04, a Final Action may be appealed to the Environmental Review Appeals Commission (ERAC) filing an appeal within 30 days of notice of the final action. 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 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 Appeals Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Final Issuance of NPDES General Permit:

Authorization for Storm Water Discharges Associated with Construction Activity under the National Pollutant discharge Elimination System (NPDES) across the State of Ohio

Issue Date: April 21, 2008

Effective Date: April 21, 2008

Ohio NPDES General Permit Number OHC000003

This Final Action Was Not Preceded by a Proposed Action and Is Appealable to ERAC.

The full text of the permit can be viewed over the Internet at <http://www.epa.state.oh.us/dsw/storm/index.html> or copies can be obtained by calling (614)644-2001.

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCES FOR  
Shelly Materials Plant #89 (0664000072), Allied Corporation Equipment 21.0007  
(0664960003), and Allied Corporation Equipment 21.0008 (0664960004)**

Ohio EPA received a request to relocate three portable air contaminant sources for the company identified above. Upon review of the request, the Director, on February 1, 2008, approved the relocation of Shelly Materials Plant #89 and its associated support units permitted under PTI #06-07188 issued on October 14, 2003, Allied Corporation Equipment 21.0007 permitted under PTI #06-07232 issued on September 25, 2003, and Allied Corporation Equipment 21.0008 permitted under PTI #06-07175 issued on August 12, 2003. The air contaminant sources located at 4580 Bethel Road in Bucyrus, Ohio (Crawford County), were authorized to move to 18429 Main Street in Buckland, Ohio (Auglaize County) upon the issuance of the notice published in conjunction with the February 1 approval.

Due to an administrative processing error, the following condition was not included in the February 1 approval and therefore Ohio EPA is now approving the relocation to this site as an administrative modification to the February 1 approval. Approval is granted pursuant to Ohio Administrative Code rule 3745-31-03(A)(1)(p), provided the following condition is met while the units are located at the site:

- (1) Only used oil with a total halogen content of  $\leq$  1000 ppm may be received by and burned in the Shelly Materials Plant #89 (emissions unit P901).

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 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

All inquiries concerning this action may be directed to the contact identified below.  
Kimbra Reinbold, Ohio EPA Southeast District Office, Division of Air Pollution Control,  
2195 Front St., Logan, OH 43138. (740) 385-8501.

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE  
FABRIZI RECYCLING #13-18-95-8523**

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 F001 a 250 ton/hour portable concrete recycling plant permitted under PTI #13-04666 issued on 8/1/06. The air contaminant source is currently located at 7719 Race Road in North Ridgeville, Ohio, and is authorized to move to 90 Columbia Road in Valley City, Ohio upon the issuance of this notice.

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 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

All inquiries concerning this action may be directed to the contact identified below.

Sarah Rehner  
Cleveland Division of Air Quality  
1925 St. Clair Ave.  
Cleveland, Ohio 44114  
216-664-2129

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE  
HARD ROCK CRUSHING, INC. #13-18-95-8444**

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 F004 a 100 TPH Portable Concrete Crushing Plant permitted under PTI #13-04560 issued on October 25, 2005. The air contaminant source is currently located at Hard Rock Crushing at 30837 Euclid Ave in Willowick, Ohio, and is authorized to move to Trimor at 8530 North Boyle Parkway in Twinsburg, Ohio upon the issuance of this notice.

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE**

**Independence Recycling, Inc. #13-18-95-8413**

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 F001, a 500 TPH portable concrete recycling plant permitted under PTI #13-04375 issued on February 22, 2005. The air contaminant source is currently located at LaFarge North America, at 13484 Youngstown-Pittsburgh Rd in Petersburg, Ohio, and is authorized to move to Independence Recycling at 6500 Schaaf Road in Independence, Ohio upon the issuance of this notice.

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 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

All inquiries concerning this action may be directed to the contact identified below.

Sarah Rehner  
Cleveland Division of Air Quality  
1925 St. Clair Ave.  
Cleveland, Ohio 44114  
216-664-2129

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE  
HARD ROCK CRUSHING, INC. #13-18-95-8526**

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 F001 a 200 TPH Portable Concrete Crushing Plant permitted under PTI #13-04673 issued on September 21, 2006. The air contaminant source is currently located at Trimor at 8530 North Boyle Parkway in Twinsburg, Ohio, and is authorized to move to Bertolini at 2070 Wright Road in Akron, Ohio

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 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

All inquiries concerning this action may be directed to the contact identified below.

Sarah Rehner  
Cleveland Division of Air Quality  
1925 St. Clair Ave.  
Cleveland, Ohio 44114  
216-664-2129

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE  
HARD ROCK CRUSHING, INC. #13-18-95-8445**

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 F001 a 100 TPH Portable Concrete Crushing Plant permitted under PTI #13-04581 issued on December 2, 2005. The air contaminant source is currently located at DeMilta at 921 Erie Road in Eastlake, Ohio, and is authorized to move to C&S Limestone at 13315 Hawke Road in Columbia Station, Ohio upon the issuance of this notice.

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 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

All inquiries concerning this action may be directed to the contact identified below.

Sarah Rehner  
Cleveland Division of Air Quality  
1925 St. Clair Ave.  
Cleveland, Ohio 44114  
216-664-2129

**PUBLIC NOTICE**

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
NCR CORPORATION AND EDGETECH, INC**

On April 7, 2008, Ohio EPA issued final Findings and Orders to the NCR Corporation and Edgetech I.G., Inc. for their facility located at 800 Cochran Avenue, Cambridge, Ohio 43725. This site is a hazardous waste facility, solid waste facility, or other location where hazardous was treated, stored, or disposed. The EPA I.D. number for this facility is OHD001876267.

NCR Corporation and Edgetech must achieve compliance with Chapter 3734 of the Ohio Revised Code and all corresponding regulations according to the detailed compliance schedule which outlines civil penalties, and a Work Plan for Corrective Measures Implementation. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Madison County**

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE FOR  
Colvin Gravel Company Incorporated Facility # 01-25943071**

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 permitted under 01-08910 issued on 3-1-05. The air contaminant source is currently located at 2290 Mckinley Avenue in Columbus and is authorized to move to 5681 Jefferson Kiosville Road, East of London Ohio 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.  
Mike Riggleman, 614-995-0668, 50 West Town Street Suite 700 Columbus, Ohio 43215.

**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 06-08339 issued on January 28, 2008. The air contaminant source is currently located at MarZane Asphalt Plant #14, 4540 State Route 39, Perrysville, OH, and is authorized to move to MarZane Asphalt Plant #28, 2800 Center Street, Youngstown, OH upon the issuance of this notice.

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 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 S. Fourth Street  
Room 222  
Columbus, OH 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.

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE FOR  
S&S AGGREGATES PORTABLE GENERATOR #17 (0660010266)**

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 06-08337 issued on March 18, 2008. The air contaminant source is currently located at MarZane Asphalt Plant #14, 4540 State Route 39, Perrysville, OH, and is authorized to move to MarZane Asphalt Plant #28, 2800 Center Street, Youngstown, OH upon the issuance of this notice.

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 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 S. Fourth Street  
Room 222  
Columbus, OH 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.

**PUBLIC NOTICE  
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT  
SOURCE FOR  
MAR-ZANE PLANT #30 (0660950001)**

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 06-07185 issued on October 21, 2003. The air contaminant source is currently located at Kelly Paving, 4260 Freedom Way, Weirton, WV, and is authorized to move to Mar-Zane Asphalt Plant #7, 668 Likens Road, Marion, OH, upon the issuance of this notice.

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 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

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: April 25, 2008**

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

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has received an application for the initial issuance of a National Pollutant Discharge Elimination System (NPDES) permit (1PG00108)) for the discharge from the proposed wastewater treatment plant to serve the Village of Brandt. The application was submitted by the Miami County Sanitary Engineering Department, 2200 North County Road 25A, Troy, Ohio 45373-1342.

The Miami County Sanitary Engineering Department is proposing to install a new 45,000 gallon per day wastewater treatment plant to treat sanitary waste water from the Village of Brandt. The proposed treatment plant is to be located at 1765 West County Line Road in Bethel Township, Miami County, Ohio. The discharges are to a tributary to Mud 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 a tributary to Mud 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 application are available for review at Ohio EPA's Southwest District Office, 401 East Fifth Street, Dayton, Ohio 45402-2911 (937)285-6357). An Ohio EPA public hearing on the proposed project has been scheduled for 6:30 P.M. on June 11, 2008 at the Brandt Methodist Church Fellowship Hall, 6805 East State Route 40, Tipp City, Ohio 45371. 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 June 18, 2008. Comments received after this date may not be considered as part of the official record.

**Ohio EPA PA No. 06-278PW**

**Ohio Environmental Protection Agency Draft Plan Approval**

**PUBLIC NOTICE**

**Draft Plan Approval for wastewater treatment and/or disposal facilities**

Ohio Environmental Protection Agency  
Permits Section  
50 West Town Street, Suite 700  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
(614) 644-2001

Public Notice No. 08-04-110  
Date of Issue of Public Notice: April 30, 2008

Name and Address of Applicant: Mr. Michael A. Sims, Director of Public Services, 401 Market Street, Zanesville, Ohio 43701, Muskingum County

Name and Address of Facility Where Discharge Occurs: City of Zanesville WWTP, 1730 Moxahala Avenue, Zanesville, Ohio 43701

Public notice is hereby given that Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has issued a draft plan approval for the Combined Sewer System Long Term Control Plan for the city of Zanesville. The plan is for elimination of all combined sewer overflow locations by constructing a new separated collection system. The estimated cost of the plan is \$67,800,000. Construction of the project is to be completed by June 1, 2020. The Combined Sewer System Long Term Control Plan was received by Ohio EPA in April 2006 in accordance with requirements of NPDES permit number OPE00000\*ND. Revisions were received on December 27, 2006 and June 12, 2007. The plan contains an implementation schedule that will be added to the City's NPDES permit by a modification, which is being issued for public review and comment concurrently with this plan approval.

In accordance with OAC 3745-1-05, Ohio EPA will provide an opportunity for public comment concerning this project. Comments received shall be considered by the

Director before the plan is issued as final. Any person may submit written comments on the draft plan and administrative record and may request a public hearing. A request for public hearing shall be in writing and shall state the nature of the issues to be raised. In appropriate cases, including cases where there is significant public interest, the director may hold a public hearing on a draft plan or plans prior to final issuance of the plan or plans. Written comments and/or public hearing requests must be received by the Ohio EPA, Division of Surface Water no later than 30 days from the date of this public notice. Comments and/or public hearing requests should be delivered or mailed to both of the following locations: 1) Ohio Environmental Protection Agency, Division of Surface Water, Permits Processing Unit, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, Ohio 43216-1049 and 2) Ohio Environmental Protection Agency, Southeast District Office, 2195 Front Street, Logan, OH 43138. Comments received after this date may not be considered by the Director before issuing the final plan.

Copies of the draft Plan and technical support information may be reviewed and/or copies made at the Ohio EPA Southeast District Office, 2195 Front Street, Logan, OH 43138, by first calling, (740) 385-8501 to make an appointment.

**Date of Public Notice: April 17, 2008**

**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 commercial and retail development called the Haines Freedom Project. The application was submitted by Haines & Company, 8050 Freedom Avenue NW, North Canton, Ohio 44720. The project is located between Freedom Avenue and Interstate 77, south of Shuffel Drive in Jackson Township, Stark County, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is LRH-2007-329-TUS. The Ohio EPA ID Number for this project is 083299.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 3.46 acres of non-forested, Category 1 wetlands and 333 linear feet of intermittent stream. The applicant's proposed minimal degradation alternative, if approved, would impact 1.89 acres of wetlands. 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 an unnamed tributary to West Branch Nimishillen 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 3745-1-05 of the Antidegradation Rule apply or may be granted by the Director of Ohio EPA.

Starting April 17, 2008, copies of the application for the certification 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 30 days of the date of this public notice.