

## **PUBLIC NOTICE**

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

Notice is hereby given that on October 23, 2008; the director of Ohio EPA issued an amended infectious waste transporter certificate to Healthcare Waste Solutions Inc of NKY, 7453 Empire Dr Ste 120, Florence, KY 41042, Reg. No. 00-T-00301. 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**

### **FINAL ISSUANCE OF AMENDED CERTIFICATE OF REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE**

Notice is hereby given that on October 23, 2008, the director of Ohio EPA issued an amended infectious waste generator certificate to DaVita Inc, 5200 Virginia Way, Brentwood, TN 37027, Reg. No.: 00-G-01073. 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**

**OHIO EPA ISSUES FINAL ENVIRONMENTAL COVENANTS TO  
1<sup>ST</sup> DOLLAR INVESTMENTS, LTD**

On October 15, 2008, Ohio EPA issued Environmental Covenants to 1<sup>ST</sup> Dollar Investments, Inc., and Midwest Guardian, Inc., for their facility located at 100 Keller Drive, Wapakoneta, Ohio 45895. 1<sup>ST</sup> Investments, Ltd., is an unpermitted hazardous waste facility and has undergone closure activities. The EPA I.D. number for this facility is OHD048782049.

1<sup>ST</sup> Dollar Investments, Ltd., must achieve compliance with 5301.80 and 5301.92 of the Ohio Revised Code which restricts the use of its property to limited industrial activities as outlined in the covenants. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE**

**OHIO EPA REISSUES STATEMENT OF BASIS FOR PREFERRED  
WASTE REMEDIATION**

On October 23, 2008, Ohio EPA issued a Statement of Basis to Eljer Plumbingware, Inc. for its property located at 921 South Ellsworth Avenue, Salem, Ohio 44460. The EPA Identification Number for this facility is OHD018297523.

**Why does Eljer Plumbingware, Inc. need a Statement of Basis?**

Eljer Plumbingware, Inc. is volunteering to address the former waste pile area and Solid Waste Management Units containing scrap iron left at the site that are subject to corrective action. The Statement of Basis (SB) identifies Ohio EPA's preferred remedies, explains the reasons for the selection of the remedies, solicits public review and comments and provides information on how the public can be involved in the remedy selection process. The SB allows Eljer Plumbingware, Inc. to institute corrective action activities at the designated areas when a final decision is issued. Ohio EPA originally issued the Statement of Basis on April 8, 2008 which did not adequately address potential ground water contamination at the site. Therefore, the Agency is reissuing the Statement today and including information about ground water sampling results and proposed actions to address this potential concern.

**How can I tell Ohio EPA what I think about this Statement of Basis?**

You can submit written comments anytime between **October 24, 2008** and **December 8, 2008**. Send your comments to Ohio EPA, Northeast District Office, Division of Hazardous Waste Management, Attn: Paul Dolensky, 2110 East Aurora Road, Twinsburg, Ohio 44087-1969, telephone number (330) 963-1200, fax number (330) 487-0769, e-mail: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us).

**When and where will Ohio EPA hold a public meeting?**

You may request Ohio EPA to hold a public meeting for the Statement of Basis. You should send your request 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: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us) If the request is granted, Ohio EPA will announce the time and location of the public meeting.

**Where can I review the RCRA Facility Investigation Report and Statement of Basis?**

You can review these at one of the following locations:

**Ohio EPA - Northeast District Office**, 2110 East Aurora Road, Twinsburg, Ohio 44087-1969,  
(330) 425-9171, and;

**Ohio EPA, Division of Hazardous Waste Management**, 50 West Town Street, Suite 700,  
Columbus, Ohio 43215; (614) 644-2917.

**What will Ohio EPA do with the comments?**

After carefully considering public comments, Ohio EPA will reconsider the S B, making any necessary changes, and issue a final decision. Ohio EPA will issue a "response to public comments," specifying any changes made to the S B. If you commented on the S B, Ohio EPA will send you copies of the "response to public comments" and the final decision.

**PUBLIC NOTICE**

**OHIO EPA APPROVES CLOSURE PLAN FOR  
REALM**

On October 10, 2008, Ohio EPA approved an amended post-closure plan for REALM, concerning its closed landfill located at 1400 Lowell Street, Elyria, Ohio. The EPA I.D. number for this facility is OHD004201091.

Pursuant to Ohio Revised Code rules 3745-54 and 55, as well as 3745-55-18, the facility's post-closure plan submitted on August 6, 2004, was approved as outlined in the Director's October 10, 2008 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 HAZARDOUS WASTE PERMIT MODIFICATION**

On October 17, 2008, Ohio EPA issued a final class 3 hazardous waste facility installation and operation permit (Permit) modification to Clean Harbors Recycling Services of Ohio, LLC (Clean Harbors Hebron), f.k.a. Safety-Kleen Systems, Inc., Hebron Recycle Center, for its facility at 581 Milliken Drive SE, Hebron, Ohio 43025. The EPA Identification Number for this facility is OHD980587364.

**Why does Clean Harbors Hebron need a Permit modification?**

Clean Harbors Hebron recycles a variety of spent solvents and solvent-contaminated waste waters for beneficial reuse/recovery. Clean Harbors Hebron stores these solvents and waste waters in tanks and containers prior to recycling. Clean Harbors Hebron requested to change the ownership from Safety-Kleen Systems, Inc. to Clean Harbors Recycling Services of Ohio, LLC. The transfer of ownership occurred on March 21, 2008. The final Permit modification contains the conditions under which the facility must operate. To issue this final Permit modification, Ohio EPA determined that the Permit application is complete and meets appropriate standards. Details about this final action can be viewed on Ohio EPA's website under Stakeholders Involvement at <http://web.epa.state.oh.us/dhwm/>.

**Can I appeal this Permit and Modifications?**

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 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 19, 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: **Director of Ohio EPA**, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE**

**OHIO EPA ISSUES DRAFT RENEWAL HAZARDOUS WASTE PERMIT**

On October 8, 2008, Ohio EPA issued a draft renewal hazardous waste facility installation and operation permit (Permit) to BASF Catalyst, LLC, fka Engelhard/Harshaw Chemical Company, for its facility at 120 Pine Street, Elyria, Ohio 44035. The EPA Identification Number for this facility is OHD004203519.

**Why does BASF Catalyst, LLC need a Permit?**

BASF Catalyst, LLC owns and operates an inorganic catalyst and pigment production facility. Currently no RCRA waste is being treated or disposed at the facility. BASF Catalyst, LLC is currently performing investigation and cleanup of waste areas at the site. To investigate and clean the site, BASF Catalyst, LLC needs a Permit. The draft renewal Permit contains the conditions under which the facility must operate if the Permit receives final approval. To issue this draft renewal Permit, Ohio EPA determined that the Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws. When issued, the renewal Permit will allow BASF Catalyst, LLC to continue to investigate and cleanup any contamination of hazardous waste in the designated areas, or constituents that may be at the facility. Details about this draft action can be viewed on Ohio EPA's website under Stakeholders Involvement at <http://www.web.epa.state.oh.us/dhwm/>.

**When and where will Ohio EPA hold a public meeting?**

You may request Ohio EPA to hold a public meeting for its draft renewal permit. You should send your request 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) 728-1425, e-mail: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us). If the request is granted, Ohio EPA will announce the time and location of the public meeting.

**When and how do I submit written comments?**

You can submit written comments anytime between October 9, 2008 and November 24, 2008. Send your comments to Ohio EPA, Lazarus Government Center, 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: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us).

**Where can I review the Permit Application and draft renewal Permit?**

You can review these at one of the following locations:

***Elyria Public Library***, 320 Washington Avenue, Elyria, Ohio 44035, (440) 323-5747;

***Ohio EPA - Northeast District Office***, 2110 East Aurora Road, Twinsburg, Ohio 44087, (216) 963-1200; and,

***Ohio EPA, Division of Hazardous Waste Management***, 50 West Town Street, Suite 700, Columbus, Ohio 43215, (614) 644-2917.

**What will Ohio EPA do with the comments?**

After carefully considering public comments, Ohio EPA will reconsider the draft renewal Permit, making any necessary changes, and issue or deny the final Permit. Ohio EPA will issue a "response to public comments," specifying any changes made to the draft Permit. If you commented on the draft Permit, Ohio EPA will send you copies of the "response to public comments" and the final permit decision.

**PUBLIC NOTICE**

**OHIO EPA EXTENDS TEMPORARY AUTHORIZATION**

On October 15, 2008, Ohio EPA issued an extension to the temporary authorization issued on March 27, 2008, to BP Products North America, Toledo Refinery for their facility located at 4001 Cedar Point Road, Oregon, Ohio 43616. The EPA Identification Number for this facility is OHD005057542.

**Why do BP Products North America Toledo Refinery need this temporary authorization?**

BP Products North America is permitted to conduct corrective action and post closure-care activities at its facility in Oregon, Ohio. On March 17, 2008, Ohio EPA received a request to allow BP-Husky Refining LLC to commence ownership of the BP Products, North America, Inc., Toledo Refinery location prior to issuance of a modified permit. The temporary authorization will allow the requested ownership change in order to prevent the disruption of ongoing waste management activities. This extension expires on March 26, 2009.

**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 November 26, 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: October 26, 2008**

**PUBLIC NOTICE  
ISSUANCE OF DRAFT PERMIT TO INSTALL AND NPDES PERMIT  
AND PUBLIC HEARING**

Notice is hereby given that on October 27, 2008, the Director of the Environmental Protection Agency will issue a draft Permit to Install (PTI) (598525) and a draft National Pollutant Discharge Elimination System (NPDES) permit (OIL00145) to Gatling Ohio, LLC, 430 Harper Park Drive, Beckley, West Virginia 25801. The draft permits are for the construction of, and discharge from the construction of wastewater disposal system serving the Yellowbush Mine located off State Route 124, 0.6 miles east of the Village of Racine, south of Township Road 100, Sutton Township, Meigs County, Ohio. "Draft Actions" are written statements of the Director's intent with respect to the issuance, denial, etc. of a permit, license, order, etc. Interested persons may submit written comments regarding draft actions.

The discharges from the facility, if approved, would result in degradation to, or lowering of, the water quality of Yellowbrush Creek and Jennie Watts Run. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1-07, will not be exceeded.

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 draft action is issued as final. A public hearing has been scheduled for 6:30 P.M. on November 25, 2008 at the Southern Elementary School, 920 Elm Street, Racine, Ohio 45771. 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 draft permits. Persons wishing to 1) be on 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, Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on December 2, 2008. Comments received after this date may not be considered as part of the official record of this hearing.

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