

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
Industrial Recovery Capital Holdings Company of Ohio II, LLC. Federal-Mogul
Property

Notice is hereby given that on November 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") Chapter 3745-300, issued a Covenant Not To Sue/Final Findings and Orders to Industrial Recovery Capital Holdings Company of Ohio II, LLC for the property identified as the Federal-Mogul Corporation property (the "Property").

Industrial Recovery Capital Holdings Company of Ohio II, LLC conducted a voluntary action at the approximately 17.2-acre Property located at 900 Upton Avenue, Toledo, Lucas County, Ohio. A no further action letter was submitted on April 18, 2008 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Industrial Recovery Capital Holdings Company of Ohio II, LLC by Scott Fennell, a Certified Professional (No. CP203), 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 with 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
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
CASTLO Community Improvement Corp. – CASTLO Material Storage Yard

Notice is hereby given that on November 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”) Chapter 3745-300, issued a Covenant Not To Sue/Final Findings and Orders to CASTLO Community Improvement Corp. for the property identified as the CASTLO Material Storage Yard property (the “Property”).

CASTLO Community Improvement Corp. conducted a voluntary action of the approximately 43.259 acre-Property located at 100 South Bridge Street, Struthers, Mahoning County, Ohio. A no further action letter was submitted on July 20, 2007 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of CASTLO Community Improvement Corp. by Jim C. Smith, a Certified Professional (No. CP121), 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 or issuance of the 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: 309 South Fourth Street, 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 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
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL OF CERTIFIED PROFESSIONAL CERTIFICATIONS UNDER OHIO'S
VOLUNTARY ACTION PROGRAM

Notice is hereby given that on November 19, 2008, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued a renewal of certification to the following Certified Professionals: **Terry E. Stransky, CP262, Patrick E. Nortz, CP291, and Mark A. Lehar, CP305.**

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. 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 Commission at 309 South Fourth St., Room 222, Columbus, Ohio 43215.

If you would like to review a copy of any renewal certificate, or any documents related to the certification, please contact Debi Tavizon, Records Management Officer, at 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
REMOVAL AND SUSPENSION OF A PORTION OF
LABORATORY CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM

Notice is hereby given that on November 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") 3745-300-04, issued Final Findings and Orders to Stantec Consulting Services ("Stantec") of 1233 Dublin Road, Columbus, Ohio, that suspend the laboratory's certification under Ohio's Voluntary Action Program to perform analyses for Polychlorinated Biphenyls ("PCB") by method 8082.

Stantec also requested to removed from its certification Polynuclear Aromatic Hydrocarbons ("PAH") by method 8100. Stantec has been issued a revised laboratory certificate which reflects their request to remove certification for PAHs by method 8100 and the suspension of PCBs by method 8082. Stantec 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

The following permit is being issued on November 24, 2008 as a final action with an effective date of March 1, 2009. 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:

General Permit to cover new and existing point source dischargers associated with coal surface mining activities to surface waters of the State of Ohio

Issue Date: November 24, 2008

Effective Date: March 1, 2009

Ohio NPDES General Permit Number OHM000003

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/permits/gpfact.html> or copies can be obtained by calling (614)644-2001.

PUBLIC NOTICE

OHIO EPA GRANTS FINAL VARIANCE FROM CLASSIFICATION AS A WASTE

On November 18, 2008, Ohio EPA granted a final variance from classification as a waste to Metallurg Vanadium Corporation (METVAN), located at 60790 Southgate Road, Cambridge, Ohio 43725. The variance from classification as a waste applies to reclaimed spent catalyst generated from petroleum refining industry. The U.S EPA identification number for this facility is OHD042319244.

Why did Metallurg ask Ohio EPA to grant a Variance?

METVAN operates and maintains a metals recycling facility. The primary metal of interest to METVAN is vanadium. METVAN accepts vanadium containing spent catalyst from the petroleum refining industry for recycling. METVAN's original variance, issued in 2006, was only applicable to spent catalyst generated by a specific company. The modified variance applies to vanadium containing spent catalyst generated by any petroleum refining operation.

Once received, the company recycles this spent catalyst by concentrating the levels of vanadium using industrial furnaces to make an alloy that contains iron and vanadium. The product is sold to the steelmaking industry for use in making steel. Vanadium makes steel stronger.

Without this variance, some of METVAN's activities would be regulated as hazardous waste management activities and METVAN would need a hazardous waste facility installation and operation permit. This variance will allow METVAN to store and process vanadium containing catalyst, generated by any petroleum refining operation, without obtaining a hazardous waste permit. The final variance contains the conditions under which the facility must operate.

Can I appeal this final variance from classification as a waste?

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 variance from classification as a waste, you have the right to appeal this decision to the Environmental Review Appeals Commission (ERAC).

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

If you file an appeal, you must put it in writing no later than December 20, 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: November 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 water quality certification for a project to stabilize Stadium Road and improve Big Ditch in Oregon, Ohio by placing portions of Big Ditch in culverts and creating new open ditch segments parallel to Stadium road and through South Shore Park. The application was submitted by the City of Oregon.

The project is located between approximately the intersection of Seaman Road with Stadium Road and Maumee Bay. The Buffalo District Corps of Engineers Public Notice Number for this project is 2007-01397. The Ohio EPA ID Number for this project is 073270.

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 8,683 feet of stream by placing 5,886 feet in culverts, and enhancing 2,797 feet of stream in Big Ditch and an adjacent unnamed ditch. The mitigation for the impact will include the creation of 7,364 feet of new open stream on the east side of Stadium Road and within South Shore Park. The enhanced and newly created stream segments will be wider and vegetated to filter out sediment, thus improving the quality of water discharged to Maumee Bay. The applicant's proposed minimal degradation alternative, if approved, would continue to maintain the existing channel by periodic dredging of accumulated sediments and repairing steep side slopes as needed. The applicant's proposed non-degradation alternative (do-nothing alternative), if approved, would have no direct impacts on waters of the state beyond the current sediment load discharged from the continual erosion of the existing stream banks.

Discharges from the construction activity, if approved, would result in temporary degradation to, or lowering of, the water quality of Big Ditch and an unnamed ditch. 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 November 17, 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.

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 thirty days of the date of this public notice.

PUBLIC NOTICE

Carbon Limestone Landfill

Notice is hereby given that on November 14, 2008, pursuant to OAC 3745-27-19(E) (7)(e), the director of Ohio EPA authorized the owner or operator of the Carbon Limestone Landfill (Facility) to accept kiln dust, saw dust, bag house dust, and other absorbent materials designated for use as solidification basin admixture materials in existing and proposed on-site solidification basins in the manner proposed in the August 6, 2008 request, as revised through September 16, 2008. The Facility is located at 8100 Stateline Road, Lowellville, OH 44436. This authorization is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable 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 Directors 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 at the following address: 309 S. Fourth St, Rm 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list 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.