

**PUBLIC NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
*JohnsonDiversey, Inc.*

Notice is hereby given that on July 27, 2009, 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 JohnsonDiversey, Inc. for the property identified as the JohnsonDiversey, Inc. property (the "Property").

JohnsonDiversey, Inc. conducted a voluntary action of the 22.469-acre property located at 3630 East Kemper Road, Sharonville, Hamilton County, Ohio. A no further action letter was submitted on February 20, 2008 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of JohnsonDiversey, Inc. by William Lozier, a Certified Professional (No. CP135), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

The issuance of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. 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 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 it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be served on the Director within three 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. The appeal may be filed with the Commission at 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.

**Division of Surface Water  
Credible Data (Volunteer Monitoring) Program  
Qualified Date Collector Approvals  
All Effective 07/28/09**

<b>Name Organization</b>	<b>Level / Specialty</b>	<b>Expiration Date</b>
Kristin Tillison (#341) Wood County Health Department	Level 1	NA
Keven Musgrave (#342) Sandusky Health Department	Level 1	NA
Deborah Mersereau (#343) Sandusky Health Department	Level 1	NA
Jody King (#344) Northwest Neighborhood Alliance	Level 1	NA
David Bordner (#345) Northwest Neighborhood Alliance	Level 1	NA
Pam Williams (#346)	Level 1	NA
Stephens Willis (#347)	Level 1	NA
Don Leeds (#348) Green County SWCD	Level 1	NA
Cheryl Johncox (#349) Ohio Environmental Council	Level 1	NA
Thomas Davis (#350)	Level 1	NA
Donald Boysel Jr. (#351) Trout Unlimited, Mad Men Chapter	Level 1	NA
April Mather . (#352) Alliance for the Great Lakes	Level 1	NA
Tom Harrison (#353) Wood County Citizens	Level 1	NA
Paul Hagen (#354) Wood County Health Department	Level 1	NA

Jacque Varty (#355) Wood County Health Department	Level 1	NA
Kaylee Richard (#356) Union SWDC	Level 1	NA
Tim Weisert (#357) Buckeye Lake for Tomorrow	Level 1	NA
Terry Jackson (#358) Buckeye Lake for Tomorrow	Level 1	NA
Constance Stewart (#359) Honey Creek Watershed	Level 1	NA
Stacie McCloud (#360) Ohio Lake Management Society	Level 1	NA

**Division of Surface Water  
Credible Data (Volunteer Monitoring) Program  
Qualified Data Collector Approvals  
All Effective 07/28/09**

David Baker (#003) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Keith Carr (#019) Hull & Associates	Level 3 – Fish Community Biology & Stream Habitat Assessment (QHEI)	7/27/2011
Aaron Roerdink (#057) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Peter Richards (#058) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Dorothy Ewing (#060) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Barbara Merryfield (#061) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Jack Kramer (#062) Heidelberg University	Level 3 – Chemical Water Quality Assessment	7/27/2011
Leigh Ann Gerardi McCulla (#188) Honey Creek Watershed	Level 2 – Stream Habitat Assessment (QHEI)	7/27/2014
Adam Lehman (#340) Shaw Environmental	Level 2 – Stream Habitat Assessment (QHEI)	7/27/2014
Stuart Smith (#361) Sandusky River Watershed Coalition	Level 3 – Chemical Water Quality Assessment	7/27/2011

**Date of Public Notice: July 31 2009**

**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 modification of a National Pollutant Discharge Elimination System (NPDES) permit (11J00033) for the discharge from the Barrett Paving Materials, Inc. – Miami River Quarry. The application was submitted by Barrett Paving Materials, Inc., P.O. Box 13671, Dayton, Ohio 45413-0671.

Barrett Paving Materials, Inc. has expanded the limestone quarry into a new area separate from the existing quarry and is requesting an additional outfall that is required to discharge groundwater and stormwater similar to the existing outfall. The Barrett Paving Materials Miami River Quarry is located at 1556 Miami River Road, Orange Township, Shelby County, Ohio. The discharges are to the Great Miami River.

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 the Great Miami River. 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 modification application are available for review at Ohio EPA's Southwest District Office, 401 East Fifth Street, Dayton, Ohio 45402 (937)285-6357. An Ohio EPA public hearing on the proposed project has been scheduled for 6:30 P.M. on September 15, 2009 at the Shelby County Ag Services Center, 822 Fair Road, Sidney, Ohio 45365. 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 September 22, 2009. Comments received after this date may not be considered as part of the official record.