

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing General NPDES Permits**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 6111.03(G) and 6111.035 of the Ohio Revised Code and in accordance with Chapter 119 of the Ohio Revised Code, proposes to rescind and adopt the following rules of the Ohio Administrative Code:

<u>Rule Number</u>	<u>Rule Title</u>	<u>Proposed Action</u>
3745-38-01	Definitions.	Amend
3745-38-02	Requirements for general national pollutant discharge elimination system (NPDES) permits.	New
3745-38-02	Ohio NPDES permit required.	Rescind
3745-38-03	General permits coverage.	Rescind
3745-38-04	Individual or alternative general permit requirements.	Rescind
3745-38-05	Alternative NPDES authorization.	Rescind
3745-38-06	Notification of general permit coverage.	Rescind
3745-38-07	Criteria for issuing and renewing general permits.	Rescind
3745-38-08	Modification of general permits.	Rescind
3745-38-09	Transfer of general permit coverage.	Rescind
3745-38-10	Applicability of rules procedure.	Rescind
3745-38-11	Revocation of general permits.	Rescind
3745-38-12	Termination of general permit coverage.	Rescind

These proposed rules address general National Pollution Discharge Elimination System (NPDES) permits.

The public comment period will run until **5:00 p.m. on March 31, 2010**. A public hearing on the proposed rules will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held at **10:30 a.m. on March 31, 2010** at the following location:

Ohio EPA Central Office
50 W. Town Street, Suite 700
Conference Room C
Columbus, Ohio 43215

All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

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 rules.

Written testimony should be sent to the attention of John Morrison at the Division of Surface Water, 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 **5:00 p.m. on March 31, 2010** 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.

For questions regarding this rule package or to receive a copy of the proposed rules, please contact John Morrison, at the Division of Surface Water (DSW), at (614) 644-2259 or via e-mail at john.morrison@epa.state.oh.us. In addition, the 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 the DSW Web site at www.epa.ohio.gov/dsw/rules/draftrules.aspx and on the Register of Ohio Web site at www.registerofohio.state.oh.us.

**PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL OF LABORATORY CERTIFICATION UNDER OHIO'S VOLUNTARY
ACTION PROGRAM**

Notice is hereby given that on February 22, 2010, 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 Summit Environmental Technologies, Inc., ("Summit") of 3310 Win Street, Cuyahoga Falls, Ohio. The certification number remains CL0052.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. 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, made payable to "Ohio Treasurer Kevin Boyce," 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 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 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 certificate, or any documents related to the laboratory's certification, please contact Ohio EPA, Division of Emergency and Remedial Response, Site Assistance & Brownfield Revitalization, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL OF LABORATORY CERTIFICATION UNDER OHIO'S VOLUNTARY
ACTION PROGRAM**

Notice is hereby given that on February 19, 2010, 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 GEOAnalytical, Inc., of 9263 Ravenna Road, Twinsburg, Ohio. The certification number assigned to GEOAnalytical, Inc., remains CL0008.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. 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, made payable to "Ohio Treasurer Kevin Boyce," 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 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 the following address:

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Columbus, OH 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, Site Assistance & Brownfield Revitalization, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE

OHIO EPA RECEIVES NEW HAZARDOUS WASTE CLOSURE/POST-CLOSURE PLAN

On January 29, 2010, Ohio EPA received a new hazardous waste closure/post-closure plan from Unico Alloys, Inc. concerning its landfill unit located at 1555 Joyce Avenue, Columbus, Ohio 43219. The EPA Identification Number for this facility is OHD081315863.

Why is Unico Alloys, Inc. submitting this Closure/Post-Closure Plan?

At the request of Ohio EPA, Unico Alloys, Inc. submitted this closure/post-closure plan. This plan details the procedures to be used for post-closure care and monitoring activities at Unico Alloys. At the site, residual contaminants still exist as the result of the release of approximately 500 gallons of hazardous waste. Because of concerns of horizontal migration offsite of contaminated soil gas, Unico suggested options to monitor such waste and monitor the vertical migration of contaminated perched water toward the local sand and gravel aquifer. In addition to post-closure monitoring, post closure care will include the use of an environmental covenant to establish future site use.

When and how do I submit written comments about the Closure Plan?

You can submit written comments anytime between March 1, 2010 and March 31, 2010. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services Section, 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 Closure/Post Closure Plan?

You can review the Closure Plan at the following location:

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

Lake County

**PUBLIC NOTICE
OHIO EPA ISSUES FINAL ENVIRONMENTAL COVENANTS TO
LUBRIZOL CORPORATION-WICKLIFFE**

On February 25, 2010, Ohio EPA issued an Environmental Covenant to the Lubrizol Corporation for its facility located at 29400 Lakeland Boulevard, Wickliffe, Ohio. Lubrizol Corporation is a permitted hazardous waste facility and has undergone closure activities. The EPA I.D. number for this facility is OHD004172565.

The Lubrizol Corporation's Wickliffe facility must achieve compliance with 5301.80 to 5301.92 of the Ohio Revised Code which restricts the use of its property to 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.

Lake County

**PUBLIC NOTICE
OHIO EPA ISSUES FINAL ENVIRONMENTAL COVENANTS TO
LUBRIZOL CORPORATION-PAINESVILLE**

On February 25, 2010, Ohio EPA issued an Environmental Covenant to the Lubrizol Corporation for its facility located at 155 Freedom Road, Painesville, Ohio. Lubrizol Corporation is a permitted hazardous waste facility and has undergone closure activities. The EPA I.D. number for this facility is OHD004172623.

The Lubrizol Corporation's Painesville facility must achieve compliance with 5301.80 to 5301.92 of the Ohio Revised Code which restricts the use of its property to 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.